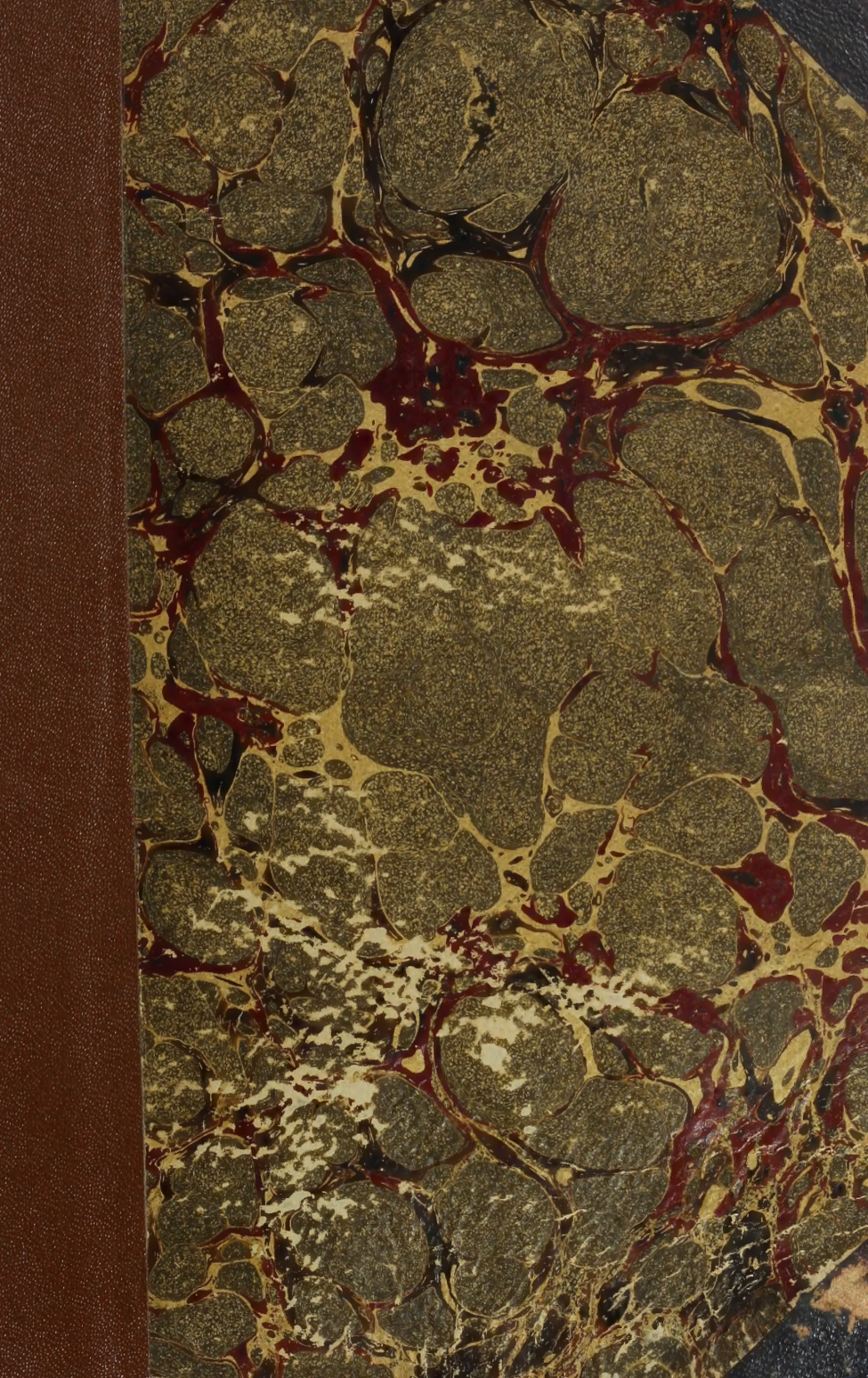






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North Carolina. General Assembly.

PROCEEDINGS.

OF THE

LEGISLATURE OF NORTH CAROLINA

AT THE

REGULAR SESSION OF 1883,

AS REPORTED BY

The News and Observer,

TOGETHER WITH SKETCHES OF THE MEMBERS.



RALEIGH :

NEWS AND OBSERVER PRINT.

1883.

328,750
N873P

PROCEEDINGS
OF THE
GENERAL ASSEMBLY
OF
NORTH CAROLINA,
AT ITS REGULAR SESSION, 1883.

* SENATE.

FIRST DAY.

WEDNESDAY, January 3.

The Senate was called to order at 12:25 by the President, Lieutenant-Governor Robinson, and the clerk, R. M. Furman, was directed to call the roll of the Senatorial districts.

When the first district was called Mr. S. J. Halstead came forward and presented his certificate of election.

Mr. Caho said that he desired to state that the seat of Mr. Halstead would be contested by Mr. J. M. Woodhouse.

The President stated that in conformity with law and precedents the Senator holding the certificate would be sworn in accordingly.

Judge McKoy preceeded to administer the oath of office to such Senators as presented certificates, and forty-five Senators were qualified and took their seats.

The following Senators were absent: Messrs. Clarke, Loftin, Morrison, Neil and Toon.

Mr. Pinnix stated that Mr. Neil was absent on account of sickness.

A quorum being present, the President announced that it was in order to proceed with the further organization of the Senate, and the first business in order was the election of

PRINCIPAL CLERK.

Mr. Pinnix nominated R. M. Furman, of Buncombe, who received forty-two votes, and was declared elected.

READING CLERK.

Mr. Caho nominated Wm. H. Bledsoe, of Wake, and he received forty-two votes, and was elected.

ENGROSSING CLERK.

Mr. Linney nominated C. H. Armfield, of Iredell, who received 38 votes and was elected.

PRINCIPAL DOORKEEPER.

Mr. Scott, of Rockingham, nominated Wiley V. Clifton, of Wake.

Mr. Mebane nominated W. C. Coats, of Northampton.

Mr. Clifton received 32 votes and Mr. Coats 7. Mr. Clifton having received a majority of all the votes cast was declared elected.

ASSISTANT DOORKEEPER.

Mr. Linney nominated D. McMatheson, of Alexander, who received 41 votes and was declared elected.

The officers elect presented themselves at the bar of the Senate, were sworn in by Chief Justice Smith, and entered upon their various duties.

RESOLUTIONS.

Mr. Dortch, a resolution proposing to send a message to the House informing that body of the organization of the Senate and of its readiness to proceed to business. Adopted.

Mr. Womack, resolution to appoint a committee of three to draft and report rules for the government of the Senate, which was adopted, and the President announced as the committee, Messrs. Womack, Morehead and Purnell.

On motion of Mr. Dortch, the Senate adjourned until to-morrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

At 12 o'clock m. the House met for organization. The House was called to order by J. D. Cameron, principal clerk of the last House.

The roll of counties was then ordered, and the members elect from the various counties came forward to the clerk's desk, presented their certificates of election and qualified by taking the oath of office.

James I. Moore, of Granville, gave notice of contest of seat of A. H. A. Williams.

R. W. Parker, of Northampton, gave notice of contest of seat of R. B. Peebles.

The oath was administered by Mr. C. B. Root, justice of the peace.

On motion of Mr. Bailey, of Mecklenburg, a call of the House was ordered, which resulted in a quorum being found present.

The House was then declared ready to proceed with organization by electing officers, and nominations for Speaker being then in order the following gentlemen were placed in nomination:

Mr. Bailey, of Mecklenburg, put in nomination Mr. George M. Rose, of Cumberland.

Mr. E. P. Powers put in nomination Mr. J. O. Wilcox, of Ashe.

Mr. Belcher put in nomination Prof. E. E. Green, of New Hanover.

The following was the vote:

For Rose: Abbott, Anderson, Bailey of Mecklenburg, Bailey of Wilson, Ball, Baum, Byrd of Yancey, Barrett of Pitt. Beal, Bennett, Bowen, Brown, Bunn, Cain, Cheek, Crouse, Cowell, Forbis, Fulton, Gatling, Glenn, Green of Franklin, Gudger, Hamilton, Hardy, Harris of Davidson, Hayes of Swain, Holt, Houston, Johnson of Johnston, King, Lawrence, Leazer, Lenoir, Liles, McAllister, McCotter, McCurry, McCloud, Marsh, Matheson, Mathis, Myers, Overman, Patrick, Peebles, Person, Phillips, Posey, Powers of Cleveland, Ray, Reade of Person, Reynolds, Riggs, Robbins, Sherrill, Simmons, Stanford, Steed, Stewart, Stringfield, Strudwick, Tate, Thompson, Tomlin, Walker, Williams of Granville, Williams of Sampson, Wilson, Wood, Worthington. Total, 69.

For Wilcox: Baker, Biedsoe, Bradley, Bridgers, Bruce, Bullock, Candler, Carlington, Eaton, Green of New Hanover, Grissett, Harris of Wake, Hayes of Robeson, Henderson, Holton, Jenkins, Landreth, Leary, Lineback, Mitchell, Montgomery, Newby, Newell, Nixon, Page, Pitman, Poe, Powers of Cumberland, Proctor, Pruitt, Smyth, Spiller, Stokes, Sutton, Temple. Total, 35. Messrs. Glenn and Page were tellers.

Mr. Rose having received a majority over all competitors, of thirty-two was declared elected.

Messrs. R. B. Peebles, of Northampton, and E. R. Page, of Jones, were appointed a committee to inform Mr. Rose of his election and to conduct him to the chair.

Mr. Rose on being conducted to the chair accepted the position in a short and graceful speech. He said:

I desire to return to you my heartfelt thanks for the high honor you have paid me in electing me your presiding officer. I shall bring to the discharge of the duties of that office all the fairness, all the impar-

tiality and all the ability I possess, but in discharging its duty I shall be compelled to rely in a great measure upon that kind and cordial consideration that I feel and know each member of this body is disposed to accord to its Speaker. We have met to legislate for the people of North Carolina, and in our deliberations here let us not be carried away too much by party zeal and party influence, but let each man resolve for himself that so far as he is concerned he proposes to legislate for the best interest of North Carolina. If this resolution is made and adhered to, when this General Assembly shall have adjourned and the Speaker shall rap his gavel for the last time, it will deserve and receive the plaudits of the people, and they will say well done.

Nominations were then declared in order for principal clerk, and Mr. J. D. Cameron was placed in nomination by Mr. J. D. Glenn, and seconded by Mr. Page. A ballot being had, Mr. Cameron received 101, all the votes cast, and was declared elected.

The rules of the last House were on motion made the rules of the present.

On motion of Mr. Stanford, of Duplin, the House adjourned until 10:30 a. m. to-day.

SENATE.

SECOND DAY.

THURSDAY, January 4, 1883.

SENATE.—The Senate was called to order at 11 o'clock, President Robinson in the chair.

Prayer by the Rev. Mr. Watkins, pastor of the First Presbyterian church of this city. The journal of yesterday was read and approved.

Messrs. Clarke, Loftin and Toon presented their credentials, were sworn in by C. B. Root, Esq., and took their seats.

INTRODUCTION OF BILLS.

Mr. Dortch—A bill entitled an act revising and consolidating the public statutes of the State. Calendar.

Mr. Richardson—A bill to repeal the prohibition act passed at the session of 1881. Calendar.

Mr. Pinnix—A bill to repeal the prohibition act of 1881. Calendar.

Mr. Battle—A bill to repeal the prohibition act of 1881. Calendar.

On motion of Mr. Pinnix the rules were suspended and his bill was taken up, and after some discussion, passed its several readings and was ordered to be engrossed.

Mr. Pinnix—A bill to provide for a railroad commission and for other purposes, was ordered to be printed and referred to the judiciary committee.

Mr. Caho—A resolution of inquiry as to whether S. J. Halstead is entitled to a seat in this Senate. Referred to committee on privileges and elections.

Mr. Womack—Two bills to divide North Carolina into nine Congressional districts. Placed on calendar.

Mr. Dortch—A resolution providing that the judiciary committee of the two houses constitute a joint select committee to take into consideration the necessity or the propriety of increasing the number of the judicial districts in the State and of the establishment of criminal courts, and report by bill. Adopted and sent to the House for concurrence.

Mr. Dortch—A resolution to raise a joint select committee composed of ten on the part of the Senate and twelve on the part of the House, to take into consideration the report of the commission to revise and consolidate the public statutes of North Carolina. Adopted and sent to the House for concurrence.

Mr. Morehead—A bill to cede to the United States a lot or tract of land in the city of Greensboro. Passed its several readings under a suspension of the rules.

Mr. Clarke—A bill to authorize the election of county commissioners and magistrates by the people in the various counties in the State. Referred to the judiciary committee.

Mr. Clarke—A bill to provide for the working of the public roads of the State by taxation. Referred to the judiciary committee.

Mr. Payne—A bill concerning the registration of deeds. Referred to the committee on judiciary.

Mr. Purnell—A bill to repeal chapter 141, laws of 1876-77, entitled "An act to establish county governments and to restore local self-government." Calendar.

Mr. Womack—Resolution to raise a committee on joint rules for the government of both houses. Adopted.

Mr. Pemberton—Bill accompanied with a memorial from certain citizens of the town of Albemarle, to repeal the local prohibition act relating to said town. Placed on the calendar.

Mr. Hill—Bill to amend section 5, chapter 234, laws of 1881. Referred to the judiciary committee.

Mr. Scott, of New Hanover—Bill to amend chapter 200, laws of 1879, so that the provisions of said chapter shall not apply to New Hanover county.

Mr. Payne—Resolution of instruction to the Senators and Representatives from North Carolina in the Congress of the United States in relation to the tariff and internal revenue laws.

Whereas, the present tariff is onerous, unfair and burdensome to the people of North Carolina, and has proven a heavy embargo laid upon southern toil and southern industry; and whereas the system of internal revenue laws now in force is inquisitorial and oppressive to our people;

and whereas the method of collecting the revenue of the Federal government, known as the internal revenue, has proven a fraud upon the rights of this people and subversive of honest government; and whereas the elective franchise has often been debauched by revenue officials; therefore, be it resolved by the Senate, the House of Representatives concurring:

1. That our Representatives and Senators in Congress be, and they are hereby instructed, to urge a modification or reduction of the present tariff, and a repeal of the internal revenue laws, and if a total repeal of the revenue laws cannot be secured or the same should be deemed inadvisable, then, and in such event, that they demand in the interest of the citizens such a repeal or modification of the internal revenue laws as will afford substantial and speedy relief.

2. That they be further instructed to urge in behalf of the people of this State (in the event a total repeal of the revenue laws cannot be secured) such an amendment to the existing law or laws as will render revenue officials violating the laws of this State amenable to, and not above the State law. Referred to judiciary committee.

MESSAGE FROM THE HOUSE
transmitting the intelligence of its organization and of its readiness to proceed to business, and proposing to raise a joint committee of three on the part of the House and two on the part of the Senate to wait upon his Excellency, the Governor, was concurred in, and the president appointed Messrs. Alexander and Eaves to represent the Senate. Subsequently Mr. Alexander reported that the committee had waited upon the Governor, and his Excellency had signified his intention to communicate by message to-day to the General Assembly.

MESSAGE FROM THE HOUSE
transmitting a communication from his Excellency, the Governor, with a proposition to print 1,000 copies of the same, and asking the concurrence of the Senate.

The president said he was of the opinion that a recent act of the Legislature fixed or specified the number of copies of such documents to be printed, and also required that it should be done prior to the meeting of the General Assembly, hence he thought it would be unnecessary to concur in the proposition to print.

On motion of Mr. Pemberton the Senate declined to concur.

PRIVILEGES AND ELECTIONS.

The president announced the following committee: Messrs. Jones, Cahoe, Black, Purnell, Morrison, Dotson and Clark.

On motion the Senate adjourned until to-morrow morning at 11.

HOUSE OF REPRESENTATIVES.

At 10:30 a. m. the House was called to order by the Speaker.

Prayer by Rev. Dr. Watkins.

Yesterday's minutes read, and after correction approved.

The House then proceeded to perfect its organization by the election of its remaining officers.

Nominations for the office of Reading Clerk being in order, Mr. Overman, of Rowan county, placed the name of Mr. W. G. Burkhead, of Catawba county, in nomination. Mr. Page, of Jones county, placed in nomination the name of Mr. J. T. Wilson, of his county.

The chair appointed Messrs. Overman and Page tellers. Upon a ballot the vote stood as follows:

Burkhead—Messrs. Abbott, Anderson, Bailey of Mecklenburg, Bailey of Wilson, Barrett, Baum, Beal, Bennett, Bowen, Bunn, Byrd, Cain, Cheek, Crouse, Cowell, Forbis, Fulton, Gatling, Glenn, Green of Franklin, Gudger, Hamilton, Hardy, Harris of Davidson, Hayes of Swain, Holt, Houston, Johnson of Johnston, King, Lawrence, Leazer, Lenoir, Liles, McAllister, McCotter, McCurry, McCloud, Marsh, Matheson, Mathis, Myers, Overman, Patrick, Peebles, Person, Philips, Posey, Powers of Cleaveland, Ray, Reid of Gaston, Reynolds, Riggs, Robbins, Rose, Sherrill, Simmons, Smyth, Stanford, Steed, Stewart, Stringfield, Strudwick, Sutton, Tate, Thompson, Tomlinson, Turner, Williams of Granville, Williams of Sampson, Williamson, Wilson, Wood—72.

Wilson—Messrs. Ball, Belcher, Bledsoe, Bridgers, Bruce, Bullock, Candler, Carrington, Dixon, Eaton, Frazier, Green of New Hanover, Grissett, Harris of Wake, Hayes of Robeson, Henderson, Holton, Jenkins, Johnson of Craven, Leary, Lineback, Mitchell, Newby, Newell, Newsom, Nixon, Page, Pitman, Powers of Cumberland, Proctor, Reade of Person, Spiller, Stokes, Temple, Waddell, Wilcox—36.

Nominations for Principal Doorkeeper being next in order, Mr. Overman placed in nomination the name of Mr. D. R. Julian, of Rowan. Mr. Speller, of Bertie, placed in nomination the name of Mr. Wm. Sanderlin, of Bertie. The vote was as follows: Julian 81; Sanderlin 22.

Nominations for Assistant Doorkeeper being in order, the following names were placed in nomination: Mr. J. P. Norton, of McDowell, by Mr. C. M. McCloud; Mr. Weldon Montgomery, of Warren, by Mr. H. B. Eaton, and Handy Lockhart, of Wake, by Mr. E. E. Green. The ballot stood as follows: Norton 80; Montgomery 3; Lockhart 20.

The election of Engrossing Clerk being the next in order, Mr. Stanford placed the name of Mr. W. J. Barrett, of Lenoir, in

nomination. A ballot being had, Mr. Barrett received 98 votes, all the votes cast.

The officers elect came forward and qualified by taking the oath of office.

The House was then declared organized for the transaction of business.

A message was received from the Senate announcing that body organized and ready for the transaction of business.

On motion of Mr. Glenn a message was ordered to be sent to the Senate announcing the organization of the House and proposing a joint committee to be appointed to wait upon the Governor and notify him of the organization of the Senate and House. The chair appointed as a committee on the part of the House, Messrs. Glenn, Holt and Holton.

On motion of Mr. Worthington a committee of five was ordered to be appointed to prepare rules for the government of the House. The chair appointed Messrs. Worthington, Bunn, Tate, Peebles and Pace.

MEMORIALS.

Mr. Bullock presented the memorial of George H. Parker, Esq., of Northampton, contesting for the seat of R. B. Peebles, Esq.

Mr. Powers presented the memorial of James I. Moore, Esq., contesting for the seat of A. H. A. Williams, Esq., of Granville.

RESOLUTIONS.

By Mr. Bower—A resolution relative to the repeal of the United States revenue system.

By Mr. Lenoir—A resolution relative to the repeal of the United States revenue system.

BILLS.

The following bills were introduced and disposed of as follows:

By Mr. Cowell—A bill to confirm the donation of land and right-of-way in the town of Edenton. Referred to committee on corporations.

By Mr. Bailey, of Mecklenburg—A bill to repeal the prohibition law. Placed on the calendar.

By Mr. Bailey, of Mecklenburg—A bill to punish embezzlement by attorneys. Calendar.

By Mr. Overman—A bill to appoint a railroad commission. Calendar.

By Mr. Page—A bill to provide for the election of magistrates. Judiciary committee.

By Mr. McCotter—A bill to repeal an act entitled an act to prohibit the manufacture and sale of spirituous liquors. Calendar.

By Mr. Sherrill—A bill to incorporate the Newton Cotton Mills. Calendar.

By Mr. Baker—A bill to repeal chapter 255, laws 1874-75. Calendar.

By Mr. Cowell—A bill to change the name of the Elizabeth City and Norfolk

Railroad Company. Committee on corporations.

By Mr. Page.—A bill to amend the charter of the Atlantic Coast Line. Committee on corporations.

Mr. Bailey, of Mecklenburg, during the introduction of bills, raised the point that no bill relating to the charters of corporations could be entertained by the House unless accompanied by the State Treasurer's receipt for the tax.

Representatives Williamson, Dixon, Frayser, Reid, Johnson, Waddell and Bryan came forward and qualified.

A message was received from the Senate announcing the concurrence of the Senate in the House resolution to appoint a committee to wait upon the Governor and notify him of the organization of the Senate and House.

The Private Secretary of the Governor was announced with the message.

The Governor's message was read, and on motion, ordered to be sent to the Senate with a proposition to print 1,000 copies.

On motion of Mr. Tate, a select committee of five was ordered to pass upon all resolutions and bills relative to the repeal of the revenue system.

On motion of Mr. Glenn, the House adjourned until to-morrow at 11 o'clock.

SENATE.

THIRD DAY.

THURSDAY, January 5, 1883.

SENATE.—The Senate was called to order at 11 o'clock, President Robinson in the chair. The journal of yesterday was read and approved.

INTRODUCTION OF BILLS AND RESOLUTIONS.

The following bills and resolutions were introduced and referred to appropriate committees or disposed of as follows:

Mr. Pinnix, bill to amend chapter 116, laws 1881.

Mr. Pool, bill to repeal section 1, chapter 71, laws 1881.

Mr. Halstead, bill to amend section 1, chapter 230, laws 1879.

Mr. Lyon, bill to amend chapter 150, laws 1881.

Mr. Alexander, bill to charter the Loftin Silver Mining Company.

By the same, bill to charter the Bright Light Gold Mining Company.

By the same, bill to charter the Mikado Gold Mining Company.

Mr. Payne, bill to amend section 10, chapter 37, Battle's Revisal, concerning alimony.

Mr. Ramsay, bill to amend section 14, chapter 279, laws 1881, entitled an act to incorporate the Western Insane Asylum. (This act requires the board of directors at the opening of said asylum to receive 100 patients from the Raleigh asylum, and the

amendment proposes to reduce that number to fifty.)

Mr. Dotson, bill to provide for the establishment of a graded school in the town of Statesville.

Mr. Scott, of Rockingham, bill for the relief of the tax payers of Rockingham county. [Provides for the extension of time of the sheriff to collect and settle taxes.] Subsequently, on his motion, the rules were suspended and the bill passed its several readings.

Mr. Pemberton, bill to amend chapter 166, laws of 1868-69, entitled the landlord tenant act.

Mr. Scott, of New Hanover, bill to repeal chapter 127, laws of 1879.

By the same, bill for the better protection of sheep husbandry.

Mr. Clarke, bill to amend the charter of the city of Newbern.

Mr. Boykin, bill to grade the offense of burglary. (Provides that where no personal violence is attempted or committed by the prisoner, his aiders, abettors, accomplices or accessories, the punishment shall not be death, but life imprisonment.)

Mr. Boykin, bill to provide for the registration of certain deeds. (Provides that where there is no subscribing witness to a deed, and the grantor refuses to acknowledge its execution, the grantee, his heirs or assignees may give notice to grantor. If the grantor fails to appear, probate is had and registration ordered. If the grantor appears and denies the execution, issue is made and certified to Superior Court for jury trial.)

Mr. Mebane, bill to prohibit the sale of certain weapons in the State, (such as are provided in the act prohibiting the carrying of concealed weapons.)

Mr. Purnell, bill to prevent convicts who are confined in the penitentiary from being hired out to work on private contracts.

Mr. Scott, of New Hanover, bill to amend section 32, chapter 105, of Battle's Revisal.

Mr. Mebane, bill relative to apprentices.

Mr. Lyon, bill to provide suitable compensation for witnesses attending justices courts.

Mr. Mebane, bill to provide for a division of the code.

Mr. Black, bill to repeal chapter 331 of the laws of 1879.

Mr. Dortch, resolution to raise a joint select committee to lay off the State into nine Congressional districts. (On his motion the rules were suspended and the resolution was adopted.)

On motion of Mr. Pemberton, the rules were suspended and his bill to repeal the local liquor law so far as it relates to the town of Albemarle was taken up and passed it several readings.

On motion of Mr. Womack, the rules

were suspended and the two bills introduced by himself on yesterday to divide the State into nine Congressional districts were taken up, ordered to be printed and referred to the joint select committee on that subject.

Mr. Morehead, bill to authorize and encourage the establishment of Graded Schools in the State.

COMMITTEES.

Engrossed Bills—King, of Cherokee, Farmer, Whitford, Richardson, King, of Pitt, Lyon, Ramsay.

Internal Improvements—Watson, King, of Cherokee, Pinnix, Epps, Poole, Eaves, Scott, of New Hanover.

Claims—Webb, Poole, Ebbes, Hampton, Neill, Loftin, Gray.

Propositions and Grievances—Battle, Womack, Berry, Costner, McLean, Cozart, Speight.

On motion of Mr. Purnell the Senate adjourned until to-morrow at 11 o'clock.

HOUSE OF REPRESENTATIVES.

The House was called to order at 11 o'clock a. m.

PETITIONS AND MEMORIALS.

By Mr. Page, petition from the taxpayers of the town of Kinston, asking for the establishment of a Graded School in that town.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Bowers, relative to the repeal of the United States revenue system. Select committee.

By Mr. Overman, requesting our members in Congress to use their influence to abolish the internal revenue system. Select committee.

By Mr. Green, of Franklin, in regard to agriculture and convict labor. Calendar.

By Mr. Tate, relation to the internal revenue taxation. Select committee on internal revenue.

By Mr. Glenn, asking our members in Congress to use their influence to have the internal revenue laws repealed. Select committee.

By Mr. Green, of Franklin, in regard to Engrossing Clerk. On motion the rules were suspended and this resolution passed.

By Mr. Sherrill, asking a repeal of the revenue law. Select committee.

By Mr. Poe, concerning the internal revenue system. Committee on internal revenue.

INTRODUCTION OF BILLS.

By Mr. Anderson, bill to be entitled an act to repeal chapter 95, laws of 1879. Committee on propositions and grievances.

By Mr. Bailey, of Mecklenburg, bill to incorporate the Charlotte Street Railway Company. Committee on internal improvements.

By Mr. Bailey, of Mecklenburg, bill concerning deeds and titles to realty. Judiciary.

Also the following bills:

Bill touching injunction orders. Judiciary.

Bill concerning appealable orders. Judiciary.

Bill to amend the law relating to notice of "lis pendens." Judiciary.

Bill relating to divorce. Judiciary.

Bill to amend the laws of 1871-72, chapter 193, and Battle's Revisal, chapter 37, relating to divorce. Judiciary.

Bill to abolish the fees of justices of the peace. Judiciary.

By Mr. Powers, bill to amend chapter 25, laws 1876-77. Judiciary.

Bill to amend an act to raise revenue, chapter 116, section 26, laws 1881. Committee on internal revenue.

Bill to amend an act entitled an act to raise revenue, chapter 116, section 25, laws 1881. Finance.

By Mr. Strudwick, bill to provide that no justice of the peace shall be eligible to the office of county commissioner. Judiciary.

By Mr. Beal, bill to amend chapter 116, laws 1881. Judiciary.

By Mr. Proctor, bill to amend the public school law and abolish the office of County Superintendent of Public Instruction. Committee on education.

By Mr. Speller, bill to provide for the working of the public roads by taxation. Judiciary.

By Mr. Poe, bill to amend chapter 89, laws 1881. Judiciary.

By Mr. Nixon, bill to repeal all laws which prohibit the sale of spirituous liquors in Perquimans county except in certain localities. Propositions and grievances.

By Mr. Dixon, bill to incorporate the Supreme Council of the Maccabees Home Aiding Society. Corporations.

By Mr. Page, bill to provide for the election of county commissioners. Judiciary.

By Mr. Holton, bill to amend the State revenue law in regard to liquors. Finance.

By Mr. Cowell, bill to incorporate the Narrows Island Club. Corporations.

By Mr. Gussett, bill to relieve persons over forty-five years of age from paying poll-tax. Finance committee.

By Mr. Holton, bill regulating the duties of County Superintendent of Public Instruction. Committee on Education.

By Mr. Gussett, bill to exempt ministers of the gospel from poll tax. Committee on Finance.

By Mr. Riggs, bill to repeal chapter 147, laws 1881. Judiciary Committee.

During the introduction of bills Mr. Baily, of Mecklenburg, renewed his point of order that the receipt of the Treasurer for \$25 must accompany all incorporating bills. He said it was customary for the committee to see that it was done, where-

upon Mr. B. said that he would renew the point if the money did not accompany the bills when reported from the committee.

The morning hour having expired, Mr. A. H. A. Williams, of Granville county, arose to a question of personal privilege. Mr. Williams said:

MR. SPEAKER: I rise to a question of personal privilege. On yesterday a memorial was presented to this House and read, signed by my late competitor, James I. Moore, Esq., of Granville county, who propose to contest the right of my seat in this House. That memorial has been published to the world and as its contents, uncontradicted in advance of an investigation by the committee on privileges and elections, are calculated to leave a false impression and do great injustice to myself and the board of canvassers of Granville county, I feel it my duty to make an explanation and deny the allegations contained in the said memorial.

That memorial charges that the board of county canvassers illegally and unjustly excluded the returns of Brassfields township in casting up the vote of the county, and thereby deprived him of a sufficient number of votes to entitle him to the certificate of election.

Now, Mr. Speaker, what are the facts in regard to this township?

The poll holders in making up the returns from that township, instead of reporting for which particular candidates the votes were cast, stated that the following votes were cast for members of the Legislature, without designating which were cast for the Senatorial candidates and which were cast for the candidates for the House of Representatives.

With such a return before them it was utterly impossible for the county canvassing board to know what offices the persons voted for were intended to fill.

If the board counted any of said returns, they would have been compelled to have done so on account of their own knowledge or heresay, and not from any returns made by the poll holders. Without any authority of law to go behind the returns, and not being able to distinguish for what offices the candidates received votes by said returns, they could not count them at all.

And to show that the board of canvassers of Granville county acted legally and right, their course was confirmed by the State Board of Canvassers. For in the returns from the same township the poll-holders, in reporting the vote for Judges and Solicitors, stated that the following votes were cast "for Judges" and "Solicitors" without naming Associate Justices or the District for which candidates for Superior Court Judges received votes. The county board could not distinguish, and excluded this vote, as they had done in the returns for

members of the Legislature, but sent a copy of the returns to the State Board of Canvassers, and after examination and investigation this board did as the county board had done, and as they were compelled to do, excluded the vote of Brassfields Township in counting the vote for State officers.

It will thus be seen that the State board endorsed the action of the county canvassers. But, Mr. Speaker, this is not all. Mr. Moore claims that if the board of county canvassers had gone behind the returns of said township and counted the vote, as he claims it ought to have been counted, that notwithstanding the error and confusion of said returns, he would have been elected by twenty-one votes. I claim, sir, if the board of canvassers could have gone behind the returns of this and other townships, I would have been elected by more than twenty-one votes, and entitled to the certificate for which I hold my seat on this floor. It is a notorious fact that over twenty-one votes were counted for my contestant to which he was not legally entitled. There were other errors and irregularities of greater importance and graver import to the prejudice of my vote.

It is a known fact that persons not residents of Granville, but citizens of the county of Vance, voted for my contestant. There were votes cast at Tally Ho township entitled to be counted for me but which were counted against me. I will not go into details. The case is under investigation and the facts will all be brought out. I am satisfied that when this is done it will be seen that the canvassing board of Granville acted legally and I was legally elected to the seat which I to-day occupy on this floor. I think this explanation but just to myself and to the canvassing board of Granville county, as the memorial referred to is calculated to leave a wrong impression.

I invite a full and fair investigation of the whole matter, and would scorn the idea of holding a position to which I did not believe I was clearly and honestly entitled to hold. I wish the committee on privileges and elections would investigate the matter at once and make their report, and if upon that investigation it is found I did not receive a majority of the legal votes of Granville county, I will most cheerfully yield my certificate to my contestant.

Mr. Bailey, of Mecklenburg, also rose to a question of privilege, and stated that his colleague, Col. T. T. Sandifer, was detained at home by severe illness.

On motion of Mr. McLoud, the rules were suspended and the following bill passed its several readings: A bill relating to the Inferior Court clerk's bonds.

The chair announced that he had appointed Messrs. Tate, Lenoir, Bailey, of Mecklenburg, Holton and Cheek as the committee on internal revenue.

Mr. Glenn moved that until further ordered that when the House adjourn from day to day that it adjourn to meet at 11 o'clock a. m.

Mr. Bailey moved to amend by meeting at 10 o'clock a. m.

Mr. Glenn accepted the amendment. The motion was then carried.

On motion the rules were suspended and a bill authorizing the county commissioners of Haywood county to levy a special tax, passed its first reading.

MESSAGES.

A message was received from the Senate informing the House that the Senate had passed the following resolutions and bills:

Resolution to appoint a joint select committee on the code, consisting of ten from the Senate and twelve from the House. The House on motion concurred.

Resolution concerning judicial districts in the State. Referred to the committee on judiciary.

Resolution to appoint a joint committee on rules. Concurred in.

Bill to cede jurisdiction to the United States over certain land in Greensboro. Rules suspended, passed its several readings and ordered to be enrolled.

Bill to repeal the prohibition act. Referred to the committee on judiciary.

On motion the House adjourned.

[Through error the name of Mr. J. F. Byrd, of Yancey county, was omitted in our record of the vote for Speaker. Mr. Byrd voted for Mr. Rose.

The resolutions offered by Mr. Tate are as follows:

Resolved, by the House of Representatives of North Carolina, the Senate concurring, that the system of collecting the internal revenue taxes of the United States on spirits and tobacco, as practiced under the present laws is both grievous and oppressive, and that the inquisitorial powers conferred on its officials render it odious to the sensibilities of a free people.

Resolved, that we view with alarm as well as indignation the fact that appointments in that service are openly distributed in unlimited numbers for purposes of political bribery; that large assessments of money are annually levied directly upon these officers and indirectly upon the people to be used for corrupting the elections, and the active employment of the entire body of the internal revenue force as partisan electioneers; and we denounce the same as a perversion of the public service, a fraudulent use of the public money, as calculated to sap the foundations of public virtue, and as dangerous to the liberties and well being of our people.

Resolved, that the collection of the said taxes for national purposes works injustice to our people; nevertheless, we are more solicitous to be relieved of a system so

fruitful of corruption and so fraught with danger to free elections, and therefore our Senators and Representatives in Congress are hereby requested to use all honorable means to have the laws repealed by which it is maintained, and, if the public needs require, to provide other ways for the collection of a reasonable tax on spirits and tobacco.

[NOTE.—Mr. Page nominated Mr. I. T. Wilson and not J. T. Wilson, for Reading Clerk, yesterday.

SENATE.

FOURTH DAY.

SATURDAY, January 6, 1883.

The Senate was called to order at 11 o'clock, President Robinson in the chair. The journal of yesterday was read and approved.

MEMORIAL.

Mr. Webb presented a memorial from certain citizens of Cleveland county asking that Ross's Grove Baptist church be incorporated. Placed on the calendar.

BILLS AND RESOLUTIONS.

The following bills were introduced and appropriately referred or disposed of as follows:

Mr. Womack, bill for the relief of the Supreme Court of North Carolina. (Provides for printing six copies of the transcript of the record in each civil case and a fund to be deposited by appellant to pay for the same.)

Mr. Purnell, bill to be entitled an act to secure to creditors a just division of estate conveyed to assignees for the benefit of creditors. (Requires assignments when made to be for the benefit of all creditors; insolvent debtors to file sworn schedules of their estates with assignments made; assignees to give bond, and the clerk is given jurisdiction of such estates as of estates of deceased persons, to require accounts, distributions of assets and removals for malfeasance.)

Mr. Morehead, bill to acquire title to real estate.

Mr. Berry, bill to amend section 250 of the Code of Civil Procedure.

Mr. Toon, bill for the relief of the late sheriff of Columbus county.

Mr. Loftin, bill to prevent magistrates from electing themselves or their relatives to office in Lenoir county.

Mr. Mebane, bill to authorize the clerks of the various courts in the several counties of the State to appoint deputies.

Mr. Jones, bill to amend section 8, chapter 7, Battle's Revisal.

Mr. Black, bill to repeal chapter 1, laws 1876-77, in relation to the time of holding State elections.

Mr. Payne, bill to be entitled an act to amend section 6, chapter 91, Battle's Revisal. [So that pollholders and witnesses

in proceedings under the processing act shall receive same pay as jurors and witnesses in Superior Court.]

Mr. Clarke, resolution of instruction to the Senators and Representatives of this State in Congress, urging them to exert their influence to secure the abolition of all tax on liquors distilled from fruits.

Mr. Caho, bill to repeal chapter 368, laws 1831.

Mr. Jones, bill for the relief of the late sheriff of Henderson county.

Mr. Clarke, bill to create a railroad commission. (This bill provides for the election of one commissioner by the General Assembly.) Ordered to be printed.

Mr. Purnell, resolution in favor of the clerks to the State Board of Canvassers. Authorizes the State Treasurer to pay each of them \$2.50 per day. Placed on the calendar, and subsequently, on his motion, taken up under a suspension of the rules and passed.

Mr. Scott, of New Hanover, bill to extend the jurisdiction of justices of the peace.

Mr. Lyon, bill relating to catching fish in Lumber river and its tributaries.

Mr. Mebane, bill to prohibit the transportation of lumber in the log from this State into other States.

Mr. Webb, bill to repeal chapter 250, laws of 1876-7.

Mr. Linney, bill presenting a short form of indictment for the crimes of perjury and murder.

By the same, bill to protect the agricultural interest of the State. (This bill makes a wilful violation of any contract in writing, to perform services on the farm a misdemeanor.)

Mr. Boykin, bill regulating pleading in justice's courts. (If the warrant is defective by reason of improper description of the offence or misjoinder of parties, advantage thereof cannot be taken by motion in arrest of judgment, but only by plea in abatement or motion to quash.)

Mr. Mebane, bill to amend the public school laws of 1881-82.

On motion of Mr. Pemberton a message was sent to the House proposing to proceed to the election of an enrolling clerk at the hour of 12 m. Subsequently a message was received from the House concurring in the proposition. Messrs. Pemberton and Eaves were appointed tellers on the part of the Senate. Mr. Pemberton nominated J. M. Brown, of Montgomery county, and Mr. Gray nominated J. C. Dancy, of Edgecombe. The Senate vote stood as follows: Brown received 33 votes and Dancy 6—Messrs. Clarke, Graham, Gray, Lyon, Mebane and Scott, of New Hanover. Mr. Pemberton subsequently reported the joint ballot as follows: For Brown 112 and for Dancy 31. Mr. Brown having received a majority of all the votes cast, was elected.

MESSAGE FROM THE HOUSE

Concurring in the Senate proposition to raise a joint select committee to divide North Carolina into nine Congressional districts.

On motion of Mr. Payne, the rules were suspended, and his resolution of instruction to the Senators and Representatives of this State in Congress in reference to the tariff and internal revenue question, was re-called from the judiciary committee, and taken up for consideration, and on his motion was amended. Various other amendments were offered. Pending their consideration,

On motion of Mr. Scott, of Rockingham, the resolution with all of its amendments were referred to a special committee on tariff and internal revenue, Messrs. Scott, of Rockingham, Payne and Strayhorn.

Mr. Clarke moved a suspension of the rules, in order to take up and consider his resolution of instruction to the Representatives of this State in Congress, urging them to use their influence to abolish all tax on liquors, distilled from fruits, which was agreed to, and on motion of Mr. Morehead, it was referred to the select committee on internal revenue and tariff.

Mr. McLean, by consent, introduced a bill to amend chapter 62, laws of 1873-74, relating to the sale of cotton between certain hours; referred to committee on propositions and grievances.

On motion of Mr. Dortch, a message was sent to the House proposing to print 1,000 copies of the Governor's message, and the usual number of accompanying documents as provided by law.

Leave of absence was granted Messrs. Richardson, Alexander, Whitford and Loftin, until next Tuesday night.

STANDING COMMITTEES.

Insane Asylum.—Messrs. Boykin, Toon, Whitford, Hampton, Scott, of New Hanover and Eaves.

Finance.—Messrs. Alexander, Battle, Linney, Payne, Poole, Halstead and Ramsey.

Education.—Messrs. Pemberton, Farmer, Evans, Costner, King, of Cherokee, Graham, and Mebane.

Judiciary.—Messrs. Dortch, Boykin, Pemberton, Womack, McLean, Caho, Black, Webb, Loftin, and Strayhorn.

Code.—Messrs. Morehead, Linney, Dortch, Payne, Watson, Pinnix, Jones, Scott, of Rockingham, Purnell and Clarke.

Mr. Pinnix asked to be relieved from serving on the committee on the Code, and committee internal improvements, which was agreed to.

On motion of Mr. Black, the Senate adjourned until Monday morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

The House was called to order by Mr. Speaker Rose, at 10 o'clock.

Journal of yesterday was read and approved.

RESOLUTIONS.

Resolution instructing our members in Congress to use their influence to have a bill passed appropriating the surplus funds in the United States Treasury to educational purposes. Introduced by Mr. Wilcox. Committee on education.

BILLS.

The following bills were introduced:

By Mr. Bailey, of Mecklenburg, an act to incorporate the Charlotte Cotton Mills. Corporations.

By same, an act to afford greater redress for seduction. Judiciary.

By same, an act to authorize the granting of injunction orders and certain State warrants by telegraph. Committee on judiciary.

By Mr. Gudger, an act requiring county treasurers to publish accounts of money received from Justices of the Peace. Committee on counties and towns.

By Mr. Holt, an act to re-enact and amend chapter 98, laws 1879, relating to the compromise, &c., of the State debt. Committee on State debt.

By Mr. Eaton, an act to prohibit the carrying off of minors without the consent of parents, &c. Judiciary.

By Mr. Glenn, an act to repeal the act prohibiting the sale of spiritous and malt liquors on days of public speaking. Judiciary.

By Mr. Gussette, an act to repeal chapter 115, section 1, laws 1881. Judiciary.

By Mr. Bridgers, an act to authorize the town of Tarboro to levy taxes for the support of two graded schools for white and colored. Education.

By Mr. Bryan, an act in favor of L. C. Hastin, of Wilkes county, for teaching public schools. Propositions and grievances.

By Mr. Williamson, an act to amend section 1, chapter 288, laws 1881. Judiciary committee.

By Mr. Overman, an act to amend section 41, chapter 200, laws of 1881. Committee on education.

By Mr. Covington, an act to compel the Carolina Central Railroad to draw off stagnant water ponded in Richmond county. Committee on internal improvement.

By Mr. Poe, an act to provide for the better security of human life. Committee on Judiciary.

By Mr. Myers, an act to repeal chapter 117, laws of 1879. Committee on Judiciary.

By Mr. Ray, an act to exempt farming implements from taxation. Committee on finance.

By Mr. Eaton, an act to provide for the working of roads by taxation. Committee on propositions and grievances.

By Mr. Byrd, an act to provide for the production of sheep and other domestic animals in Yancey county. Committee on propositions and grievances.

By Mr. Peebles, an act to establish Roanoke township in Halifax county. Committee on propositions and grievances.

By Mr. Williams, of Sampson, an act to pay witnesses before justices of the peace. Committee on Judiciary.

By Mr. Harris, of Davidson, an act changing the word "gallon" to "pint" in section 36, chapter 116, laws of 1881. Committee on Judiciary.

By Mr. Sutton, an act to exempt justices of the peace in the town of Edenton from the duties of supervisors of public roads. Committee on roads and bridges.

By Mr. Harris, of Davidson, an act to amend section 17, chapter 116, laws of 1881.

By Mr. Page, an act to provide for the printing of the Code. Committee on public printing.

By Mr. Cain, an act to submit the stock law question to the voters of Davie county. Committee on propositions and grievances.

By the same, an act to prevent obstructions in the public highways. Committee on propositions and grievances.

By Mr. McCurry, an act to amend section 3, chapter 84, laws of 1879. Committee on Judiciary.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. King, Williams and Worthington.

COMMITTEES.

The chair announced the following committees:

FINANCE.

Messrs. Tate, Gatling, Holt, Glenn, Leazer, Leazer, Page, Bennett, Reynolds, Sherrill, Barrett, Williams of Sampson, Williams of Granville, Marsh, Stewart, Smythe, Posey, Harris of Davidson, Holton and Reade of Person.

PRIVILEGES AND ELECTIONS.

Messrs. McLoud, Overman, Forbis, Bower, Liles, Holton, Hayes of Swain, Wilcox and Proctor.

INSANE ASYLUM.

Messrs. Stanford, Cowell, Turner, Bennett, Beale, Candler, Leazer, Thompson, Powers of Cumberland, Bullock, Cain, Sandifer, King, Powers of Cleveland, Hayes of Robeson, Wilcox and Waddell.

INSTITUTION FOR THE DEAF, DUMB AND THE BLIND.

Messrs. Overman, McAlister, Hardy, Reid of Gaston, Lawrence, Harris, Wilson, King, Leazer, Johnson of Johnston, Reynolds, Montgomery, Henderson, Johnston of Craven, and Baker.

MILITARY AFFAIRS.

Messrs. Worthington, Glenn, Liles, Crouse, Myers, Powers of Cumberland, Ray and Page.

CODE.

Messrs. Bunn, Bailey of Mecklenburg, Worthington, Robins, McLoud, Peebles, Stanford, Simmons, Green of Franklin, Overman, Strudwick and Holton.

JUDICIARY.

Messrs. Bailey of Mecklenburg, Peebles, Robins, Worthington, Bunn, Stanford, Green of Franklin, McLoud, Overman, Simmons, Forbis, Bower, Strudwick, Holton and Bullock.

ENGROSSED BILLS.

Messrs. Gatling, Abbott, Powers, of Cleveland, Gudger, Stokes and Pitman.

CALENDAR.

On motion of Mr. Forbis, the rules were suspended, and an act prohibiting the sale of liquor within one mile of Holt's Chapel, in Guilford county, passed its several readings.

Mr. Hays, of Robeson, moved that the judiciary committee be requested to report a bill relating to the prohibition law, and that it be made the special order for Monday, January 8th, at 11 o'clock A. M.

Mr. Overman moved to amend that the judiciary committee make a report.

Mr. Hays accepted the amendment and the motion was carried.

An act to authorize the county commissions of Haywood county to levy a special tax, passed its second reading.

The following resolutions and bills were passed under a suspension of the rules.

Resolution relative to agriculture and convict labor.

Bill in favor of L. C. Hastin.

Resolution raising a joint committee to redistrict the State.

ENROLLING CLERK.

Nominations for Enrolling Clerk being in order, Mr. McLoud placed in nomination the name of J. M. Brown, of Montgomery county, and Green, of New Hanover county, the name of Mr. J. C. Dancy, of Edgecombe county. The House then proceeded to ballot with the Senate jointly. The vote was as follows: Brown 112, Dancy 31.

On motion of Mr. Glenn, the bill providing for extending the time to pay tax in Rockingham county till May, 1883, under a suspension of the rules passed and was ordered to be enrolled.

The House, on motion, adjourned.

SENATE.

FIFTH DAY.

MONDAY, January 8, 1883.

The Senate was called to order at 11 o'clock, President Robinson in the chair. The journal of Saturday was read and approved.

[NOTE.—On Saturday Mr. Pinnix was excused from serving on the code and committee on internal improvements, and Mr.

Hill was placed on the code committee and Mr. Costner on internal improvements.

PETITIONS.

Mr. Clarke presented a petition from the marble workers and stone cutters of the State. Placed on the calendar.

BILLS.

The following bills were introduced and appropriately referred or disposed of as follows:

Mr. Clarke, bill to protect marble workers and stone cutters. (Authorizes them to take a lien on all work done on monuments and grave-stones.)

Mr. Dortch, bill to incorporate the Bank of Goldsboro.

Mr. Poole, bill to repeal chapter 62, private laws 1881, entitled an act to amend the charter of the town of Plymouth.

Mr. Black—Bill to make the crime of assault with a deadly weapon with intent to kill, or assault and battery with a deadly weapon with intent to kill, a felony punishable by imprisonment in the State prison.

Mr. Cozart—Resolution requesting our representatives and instructing our Senators in Congress to use their best efforts to obtain a return of the money collected by a direct tax from the citizens of North Carolina in 1865.

Mr. Lebane—Bill ordering the numbering of the sessions of the General Assembly.

By the same—Bill to provide for the preparation of a catalogue of the books belonging to the State.

Mr. Goodwyn—Bill to amend an act entitled an act to amend chapter 27, section 15, Battle's Revisal, being chapter 318 of the public laws of 1881.

Mr. Gray—Bill to prevent the obstruction or stopping of the water-courses in the county of Edgecombe.

By the same—Bill to amend section 19, chapter 200, laws of 1881.

Mr. Lyon—Bill incorporating the Grand Council of the American Legion of Honor of North Carolina, and subordinate councils working under the jurisdiction of said Grand Council.

Mr. Ebbs—Bill making dogs the subjects of larceny, regardless of taxation.

By the same—Bill to protect sheep husbandry in the county of Madison.

By the same, bill to extend the time for the registration of deeds and other conveyances.

Mr. Caho, bill to change the time of holding the courts in the first judicial district.

Mr. McLean, bill to amend chapter 31, laws 1873-74, relating to the disposition of mortgaged property.

Mr. Scott, of Rockingham, from the special committee on the tariff and internal revenue, submitted a majority report on (Mr. Payne's resolution of instruction to our Congressmen relating to tariff and internal revenue) embracing in substance the

original and recommending its favorable consideration.

Mr. Strayhorn, of the committee, gave notice that on to-morrow he would present a minority report.

On motion of Mr. Dotson, the rules were suspended, and his bill providing for the establishment of Graded Schools in the town of Statesville was taken up and passed its second reading.

STANDING COMMITTEES.

Penal Institutions—Messrs. Linney, Forehead, Payne, Alexander, Richardson, Strayhorn and Cozart.

Corporations—Messrs. Scott of Rockingham, Hampton, McLean, Evans, Neill, Strayhorn and Mebane.

Institution Deaf, Dumb and Blind—Messrs. Pinnix, Jones, King of Pitt, Pemberton, Lovell, Purnell and Carter.

Banks and Currency—Messrs. Black, King of Pitt, McLean, Lovell, Graham and Cozart.

Insurance—Messrs. Payne, Witford, Toon, Dotson, Morrison, Webb, Loftin and Lyon.

Agriculture, Mechanics and Mining—Messrs. Berry, Richardson, Neill, Dotson, Lovell, Goodwyn and Carter.

Military Affairs—Messrs. Toon, Cahoon, Hill, Farmer, Morrison, Purnell and Lyon.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

[NOTE.—The bill introduced by Mr. Webb on Saturday was to repeal chapter 153, laws of 1876-77, instead of chapter 150 as published.

[CORRECTION.—In Saturday's Senate proceedings we inadvertently credited Senator Mebane with the paternity of a bill to amend the public school laws of 1881. Senator Gray is the author.

HOUSE OF REPRESENTATIVES.

At 10 a. m. the House was called to order by the Speaker.

The journal of yesterday was read and approved.

PETITIONS AND MEMORIALS.

By Mr. Bailey, of Mecklenburg—Petition asking for payment out of the State Treasury for the apprehension of certain felons. Referred to committee on propositions and grievances.

By Mr. Wood—Petition from fifty-six citizens of the town of Kinston, opposing the establishment of a graded school in that place. Referred to committee on propositions and grievances.

REPORTS OF STANDING COMMITTEES.

The judiciary committee reported a substitute for the bill to repeal the prohibition law.

RESOLUTIONS.

By Mr. Sherrill—Resolution instructing our members of Congress to have the election law changed.

BILLS.

The following bills were introduced, passed their first reading and were appropriately referred, as follows:

By Mr. Ray, an act to be entitled "a substitute for chapter 306, Revised Code, relating to survey of lands set apart for Cherokee Indians.

By Mr. Forbis, bill to abolish the office of county treasurer.

By Mr. Bailey, of Mecklenburg, bill concerning the Supreme Court Reporter.

By same, bill to provide for summoning tales jurors in capital cases.

By same, bill to facilitate the collection of taxes on lands held in common.

By Mr. Powers, of Cumberland, bill relative to carrying concealed weapons; repealing chapter 127, laws 1879.

By Mr. Simmons, a bill to make justices of the peace eligible to the office of county commissioner.

By the same, a bill to amend chapter 31, laws of 1873-74.

By Mr. Bunn, a bill to amend chapter 15, laws of 1880.

By Mr. Stanford, a bill to elect county tax collectors.

By Mr. Harris, of Davidson, a bill to repeal the merchants' license tax.

By Mr. Bunn, a bill to amend chapter 45, laws of 1879.

By Mr. Marsh, a bill relative to official advertising.

By Mr. Holt, a bill to amend section 1, chapter 334, laws of 1881.

By Mr. Bridgers, a bill to authorize the commissioners of Edgecombe county to levy a special tax.

By the same, a bill relative to fish in Albemarle and Pamlico sounds and tributaries.

By Mr. Powers, of Cumberland, a bill to amend an act to prevent the sale of liquor on Sunday.

By Mr. Tate, a bill to set apart certain funds for the use of the Western North Carolina Insane Asylum.

By Mr. Cowell, a bill to prevent the erection of artificial islands in the navigable waters of the State.

By Mr. Procter, a bill to protect fish in Columbus and Robeson counties.

By the same, a bill to prevent the sale of liquors in one mile of Long Branch Church, in Robeson county.

By Mr. Bailey, of Mecklenburg, a bill to amend chapter 138, laws of 1873-74.

By Mr. Poe, a bill concerning the netting, trapping and shooting of birds in Caswell county.

By Mr. Speller, bill to prohibit the work of female convicts on certain public works.

By Mr. Newell, bill concerning "Big Swamp," Bladen county.

By Mr. Page, bill to establish a standard weight for a barrel of pork.

By Mr. Newby, bill to prohibit the shooting of wild fowl on the coast on Sunday.

By Mr. Johnson, of Craven, bill to prevent the obstructing of highways.

By Mr. Abbott, bill to incorporate the Weeping Mary Burial Society.

By Mr. Crouse, bill to amend the act of 1881 to consolidate the school law.

By Mr. Gudger, bill relative to the same.

By Mr. Cowell, bill for the relief of J. F. Fort, late Sheriff of Currituck county.

By Mr. McCotter, bill to prevent fraud in weighing cotton.

By Mr. Pittman, bill to work the public roads by taxation.

By Mr. McAllister, bill to authorize county commissioners to pay judges and clerks of election.

By Mr. Page, bill for the relief of farmers in certain localities.

COMMITTEES.

The chair announced the following standing committees:

Joint Rules—Messrs. Abbott, Cowell, Gatling, Wilcox and Bryan.

Corporations—Messrs. Peebles, Ray, Williams of Granville, Bower, Temple, Lawrence, Hardy, Wilson, McCurry, Lineback, Frazier, Steed, Proctor, Speller and Sutton.

Penal Institutions—Messrs. Robins, Abbott, Crouse, Gudger, Houston, Johnson of Johnston, Harris of Davidson, Myers, Phillips, Patrick, Hays of Swain, Athis, Cheek, Bradley, Bledsoe and Green of New Hanover.

Agriculture, Mechanics and Mining—Messrs. Lenoir, Myers, Steed, Brown, Wood, Walker, Mathis, Wilson, Dixon, Stewart, Barrett, Bradley, Grissett, Bruce and Harrison.

Propositions and Grievances—Messrs. Holt, Anderson, Bailey of Mecklenburg, Fulton, Brown, McCotter, Beale, Baum, Posey, Phillips, Williams of Sampson, Riggs, Matheson, Stringfield, McAllister, Bryan, Ball, Nixon, Bledsoe, Pruitt, Green of New Hanover and Eaton.

The committee on engrossed bills reported as properly engrossed the following bills:

Bill to repeal section 13, chapter 154, laws 1876-77.

Bill to authorize the county commissioners of Wilkes county to pay L. C. Hartin for teaching school.

Bill to amend chapter 80, private laws of 1879.

Bill to prohibit the sale of liquor within one mile of Holt's Chapel.

CALENDAR.

The following bills passed their third reading:

Bill relative to the compromise of the State debt (extending the time).

Bill to authorize the commissioners of

Haywood to levy a special tax to build a courthouse.

SPECIAL ORDER.

The consideration of the substitute to the bill to repeal the prohibition law being the special order for 11 o'clock a. m., and that hour having arrived, the House took up the substitute.

A bill to be entitled "An act to repeal the prohibition law"

Whereas the act of the General Assembly of the State of North Carolina, ratified the 11th day of March, 1881, and known as the prohibition act, was, in accordance with the provisions thereof, duly voted upon on the 1st Thursday of August, A. D. 1881, and whereas by the said vote the will of the people of the State was expressed against the acceptance and ratification of the said act, and whereas the said act still remains on the statute books, and although in law and effect a nullity, yet as some doubts have been entertained about the propriety of allowing the same to so remain and encumber said statute books:

Now, therefore, in order to remove all doubts and the more effectually to carry out the will of the people as expressed at the ballot box.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and nineteen, of the laws of one thousand eight hundred and eighty-one, ratified the 11th day of March, A. D. 1881, be, and the same is hereby repealed.

Sec. 2. That this act shall be in force from and after its ratification.

Mr. Bailey, of Mecklenburg, in explanation, stated that by force of the vote against prohibition the act became by *proprio vigore* a law without a vindictory clause, and that but for the decision in the State vs. Potent, there might be doubts as to its vitality. At least, in order to quiet the doubts of many excellent citizens, he thought it best to repeal it: that if it did no good such a course could do no harm.

Mr. Powers, of Cleveland, was opposed to the bill, because the vote of the people had decided the question and already killed the prohibition law, and that it would place this Legislature in a ridiculous light to pass a law repealing a law that was not in existence.

Mr. McCotter stated that he should vote to repeal the prohibition law, and that his only objection to doing so was that he did not like to repeal a law that was no law.

Mr. Powers, of Cumberland, said that he was in favor of the bill, because he believed there was such a law as the prohibition law, although in the last campaign the Democratic speakers had advocated that there was no such law.

Mr. Sherrill favored the passage of this bill because he had promised his people to vote for such a bill.

Mr. Green, of New Hanover said that he was one of the few who voted for prohibition, but he felt it his duty to vote for the passage of this bill because his people wanted it.

Mr. Harris, of Wake, was in favor of the bill because he did not believe morality could be legislated.

Mr. Leazar said: I believe it the duty of every good citizen, and of the members of this General Assembly as representatives of the people, to recognize the fact that the will of the people is the supreme law of the land. Upon no question ever submitted to the arbitrament of the ballot has that will been so clearly and unequivocally expressed as upon the ratification of the prohibition act. It is not improper to recognize the force of that expression. And although the Supreme Court decision, in the case of the State vs. Poteat, has clearly determined the act to be inoperative, to satisfy the doubts of many of our people, based upon opinions expressed by those who are accredited with greater learning than appertains to our highest court, it can do no harm to remove the so-called prohibition act from the statute book. I am not, sir, a recalcitrant. I was a prohibitionist, and upon the moral question involved my views are entirely unchanged. With this explanation, I shall vote aye.

Messrs. Reade of Person, Bridgers and Covington also favored the bill.

The ayes and nays being called for, the vote was as follows—ayes 115, nays 2. The bill then passed its third reading.

Mr. Stringfield, by permission, introduced a resolution requesting the Governor to inquire into the accident by which eighteen convicts lost their lives in Tuckaseegee River, and the treatment of convicts in that section, and report the facts in the case.

On motion the rules were suspended and the resolution put on its passage.

Mr. Stringfield said: I only desire to say that I have no reason to believe these reports, living as I do in the county of Haywood, where the convicts have done the most work of late, and where the greatest number have been quartered. I know, sir, from personal observation that these convicts are well clad, have good quarters, and to all outward appearance are humanely treated; but as unfavorable reports have been circulated in this and other States, I deem it just to the railroad and State authorities to ask an investigation; if cruelty is being done let the guilty ones be punished.

The resolution was then adopted.

The House on motion adjourned.

[NOTE.—We omitted to state in Saturday's proceedings that Mr. Wood's bill relative to the cotton weighers of Kinston,

Goldsboro and Newbern passed its several readings.

[NOTE.—Mr. Page on Friday presented a memorial from the tax-payers of Kinston, asking that a Graded School be not established in that town.

SENATE.

SIXTH DAY.

TUESDAY, January 9, 1882.

At 10 o'clock Lieut.-Gov. Robinson called the Senate to order and Rev. E. A. Yates, D. D., offered a prayer.

Mr. Womack, of committee, reported adversely on the bill to prohibit justices of the peace from electing themselves or their relatives to office in Lenoir county; Mr. Battle, adversely on bill relating to the catching of fish in Lumber river; Mr. Cozart, adversely on the bill prohibiting the shipment of lumber in the log from this State to other States.

INTRODUCTION OF BILLS.

Mr. Dortch, to authorize the President of the Senate and the Speaker of the House to administer oaths in certain cases.

Mr. Pinnix, to amend the charter of the town of Lexington.

Mr. Purnell, to make false listing of property for taxation a misdemeanor.

Mr. Pemberton, a bill repealing the law which compels county commissioners to levy a special tax to keep up public schools for four months when the State tax is insufficient.

Mr. King, a bill regarding the issuing and perfecting of State grants.

Mr. Boykin, a bill to appoint a railroad commission.

By the same, a bill to prescribe and regulate the fees of solicitors and the mode of paying the same.

Mr. Scott, of New Hanover, a bill to incorporate the Coast Turnpike Company.

Mr. Toon, a bill to amend the public school laws, chapter 201, laws of 1881.

Mr. King, of Pitt, a bill to regulate fishing in Pamlico River.

Mr. McLean, a bill to amend the law relating to the enforcement of agricultural liens.

Mr. Clarke, a bill to incorporate the Centurian Benevolent Society.

Mr. Carter, a bill concerning the town of Middleburg, Gaston county.

Mr. Ebbs, a bill authorizing magistrates to hold juries of inquest in their respective townships.

By the same, a bill to prevent the felling of timber in Spring Creek, Madison county.

By the same, a bill to repeal the law authorizing the county commissioners of Madison to pay the county indebtedness in bonds.

Mr. Jones, a bill to protect birds in Henderson county.

By the same, to protect fish in the same county.

Mr. Pinnix, a bill to regulate the sale of spirituous or malt liquors by the small measure.

A bill to authorize the commissioners of Haywood county to levy a special tax.

Mr. Mebane, to establish a House of Refuge and Correction.

A message from the House was read, concurring in the proposition to print 1,000 copies of the Governor's message and accompanying documents.

Mr. Morehead asked that the rules be suspended and a resolution to authorize the Code committee to procure the services of Mr. W. C. Blackmer, clerk of the Code commission, and such other clerical aid as the committee might deem necessary. The rules were suspended and the motion was adopted.

On motion of Mr. Payne, House bill No. 115, in relation to prohibition, was taken up and passed its several readings. It repeals the prohibition act. The ayes and nays were called on the third reading—ayes 36, nays 4—Messrs. Morehead, Alexander, Ebbs and Webb.

Mr. Payne moved that his resolution of instruction to the Representatives in Congress be taken up.

Resolution of instruction to the Senators and Representatives from North Carolina in the Congress of the United States, in relation to the internal revenue laws and the tariff:

Whereas the present system of internal revenue laws is oppressive and inquisitorial, centralizing in its tendencies, and inconsistent with the genius of a free people, legalizing unequal, expensive and iniquitous taxation, and as enforced in this State, is a fraud upon the sacred rights of our people and subversive of honest government; prostituted in many instances to a system of political patronage, which is odious and outrageous; corrupting public virtue, and jeopardizing public liberty, and sustained by intimidation and bribery on the part of revenue officials to debauch the elective franchise; and whereas, the present tariff is unjust, unfair and burdensome, and has proved a heavy embargo on Southern commerce, to support monopolies, proscribing Southern toil, and checking the natural development of Southern industry; therefore, be it

Resolved by the Senate, the House of Representatives concurring:

1. That our Senators be instructed and our Representatives in Congress requested to urge a total repeal of the Internal Revenue laws; and if a total repeal of the Internal Revenue laws cannot be secured, then and in such event that they urge the immediate repeal of the tax on manufactured tobacco and on brandy made from fruit,

and insist upon such an amendment to the system of collecting the revenue on whisky distilled from grain as will dispense with the services of so many needless officers.

2. That they be further instructed and requested to urge on behalf of our people (in the event an absolute repeal of the Internal Revenue laws cannot be secured) such an amendment to the existing laws or laws as will render Revenue officials violating the laws of this State amenable to, and not above the State law.

3. That they be further instructed and requested to secure a repeal of those provisions of the Internal Revenue laws which allow Revenue officers to make arrests without warrant and to destroy stills without precept.

4. That they be further instructed and requested to urge a reduction, or modification and equalization of the tariff, to the end that material relief may be afforded our people.

The question was upon the report submitted by Mr. Strayhorn from the minority of the select committee to which was referred the resolution.

The substitute was lost by a vote of ayes 16, nays 27—a party vote.

The question then recurred upon the majority report, submitted by Mr. Scott.

Mr. Clarke moved to strike out the preamble.

Lost—ayes 15, nays 28—a party vote.

The majority report was then adopted by a vote of 31 to 12, as follows:

Ayes—Alexander, Battle, Black, Boykin, Chah, Costner, Dortch, Dotson, Ebbs, Evans, Farmer, Halstead, Hampton, Hill, Jones, King of Cherokee, King of Pitt, Linney, Lovill, Lyon, McLean, Morehead, Payne, Pemberton, Pinnix, Poole, Scott of Rockingham, Toon, Watson, Webb and Womack.

Nays—Arter, Blocker, Cozart, Eaves, Goodwyn, Graham, Gray, Mebane, Purnell, Ramsay, Scott of New Hanover, and Speight.

HOUSE OF REPRESENTATIVES.

The House met at the usual hour, and was called to order by Speaker Rose. Prayer by Rev. E. A. Yates of Edenton Street Methodist church. The journal of yesterday was read and approved.

JUDICIARY COMMITTEE

reported favorably upon the following:

Bill to amend chapter 232, laws 1879.

Bill to pay witnesses in criminal causes before justices of the peace.

Resolution relative to raising a joint committee to redistrict the State.

Bill relative to injunction orders.

Unfavorably upon the following:

Bill to repeal the bill to prohibit the sale of spirituous liquors on days of public speaking.

Bills to amend chapter 116, laws 1881.

Bill to amend chapter 89, laws 1881.

The committee asked to be discharged from the consideration of the following bills and that they be appropriately referred, which was done:

Bill to amend chapter 25, laws of 1876-77.

Bill to amend section 3, chapter 84, laws of 1879.

THE FINANCE COMMITTEE

reported the following bills favorably:

Bill to set apart certain funds in the State Treasury for the use of the Western North Carolina Insane Asylum.

Upon the following unfavorably:

Bill to relieve persons over 45 years of age from poll tax.

Bill to exempt farming implements from taxation.

Bill to relieve ministers of the gospel from poll tax.

THE COMMITTEE ON ENGROSSED BILLS reported as properly engrossed the following:

Bill relating to the compromise of the State debt.

Bill repealing the prohibition law.

Resolution investigating the treatment of convicts.

Bill authorizing the commissioners of Haywood county to levy a special tax.

THE COMMITTEE ON CORPORATIONS reported favorably on the following:

Bill to confirm the donation of land and right of way to the Norfolk and Elizabeth City Railroad, in the town of Edenton.

Bill to incorporate the Charlotte Cotton Mills.

Bill to incorporate the Narrow Island.

Joint select committee on internal revenue reported a substitute for the resolutions relative to internal revenue.

RESOLUTIONS.

Mr. Bailey, of Wecklenburg, resolution to employ an additional page for the use of committees. The House, on motion, suspended the rules, and the resolution was adopted.

By the same, resolution to authorize the committee on the Code to employ clerical assistance. Rules suspended, and the resolution adopted.

BILLS.

The following bills were introduced and appropriately referred:

Mr. Powers, of Cleveland, bill to amend chapter 34, laws 1880.

Mr. Lawrence, bill to change the time of holding State elections to the first Thursday in August.

Mr. Fulton, bill to authorize S. H. Taylor, ex-sheriff of Surry county, to collect arrears of taxes.

Mr. Ball, bill to exempt the county of Madison from the operation of sections 38 and 39, chapter 104, of Battle's Revisal.

By the same, bill prohibiting the sale of spiritous liquors within three miles of California Baptist church in Madison county.

Mr. Bailey, of Wecklenburg, bill concerning the service of a summons.

Mr. Green, of New Hanover, bill to repeal chapter 306, laws 1879.

Mr. Powers, of Cumberland, bill to amend chapter 139, laws 1870-71, relative to the fees of constables.

Mr. Ray, bill to amend the stray law.

Mr. Candler, bill to repeal an act making Tuckaseegee river a lawful fence.

By the same, bill to repeal the act incorporating the town of Webster, in Jackson county.

Mr. Myers, bill to prohibit the sale of deadly weapons, other than guns, to minors.

Mr. Matheson, bill to facilitate the construction of short lines of railroads.

Mr. Holton, bill to disqualify certain persons from giving evidence on judgments rendered and bonds executed prior to the first day of August, 1868.

Mr. Riggs, bill to require fishermen to pull up and remove their net stakes.

Mr. Covington, bill to repeal the office of County Superintendent.

By the same, bill allowing the people to elect all county officers.

Mr. Stokes, bill to prevent the stationing of portable steam engines near the public highway.

Mr. Bailey, of Wecklenburg, bill to allow the voters of Mecklenburg county to choose their own form of county government.

Mr. Hardy, bill to authorize the Treasurer of Carteret county to pay certain school orders.

Mr. Harris, of Wake, bill to restore local self government to the people of North Carolina.

Mr. Hardy, bill making sections 6 and 7, chapter 118, of Battle's Revisal, apply to Carteret county.

By the same, bill establishing a dividing line between the counties of Carteret and Cravon.

Mr. Holton, bill relating to the running at large of stock.

Mr. Gudger, bill concerning the conveyance of real estate.

Mr. Phillips, bill extending the time for the registration of deeds, &c.

Mr. Hayes, of Robeson, bill to incorporate the town of Pate's, in Robeson county.

Mr. Bridgers, bill to provide for the better protection of election returns.

Mr. Speller, bill to provide for the election of school committee in Hertie county.

By the same, bill to provide for the insurance of the normal school buildings in the State.

Mr. Patrick, bill to provide for the paying of jurors of the Superior court their *per diem* in cash.

Mr. Bailey, of Mecklenburg, bill to prescribe the *venire* in civil actions against sheriffs.

Mr. Williams, of Sampson, bill to make it the duty of the Carolina Central Railroad to place lights on the bridge over the Cape Fear River at Wilmington.

The following by Mr. McCloud:

A bill to be entitled "An act to encourage the sale and use of revolvers, English bull dogs, toy pistols and other deadly and dangerous weapons, and to make dealing in the same respectable."

The General Assembly of North Carolina do enact.

SECTION 1. That every merchant, jeweler, grocer, druggist and every other dealer who shall buy or sell goods, wares and merchandise, in the State, who shall sell, or offer or keep for sale any revolver, English bull dog, toy pistol or other instrument shooting powder and ball or shot, or capable of firing charged with powder, shall pay to the State a license tax of two thousand dollars.

Sec. 2. That any such dealer who shall sell or offer for sale any such weapons or instruments, without paying the said license tax as provided by law, shall be guilty of a misdemeanor, and punished, upon conviction, in the discretion of the court.

Sec. 3. That this act shall take effect from and after its ratification.

On motion of Mr. Reade, of Person, the rules were suspended and a bill to amend the law prohibiting the sale of liquor in certain localities, by striking out Roxboro Baptist Church, passed its several readings.

MESSAGES.

A message was received from the Senate informing the House that the Senate had passed a resolution to print 1,000 copies of the message;

That Messrs. Womack, Morehead and Purnell had been appointed as the Senate branch of the joint committee on rules.

Resolution in favor of clerks to State board of canvassers. Referred.

Resolution to print census returns of counties.

Resolution to authorize the committee on the Code to employ clerical assistance.

CALENDAR.

On motion of Mr. Page a bill to authorize the county commissioners of Jones county to levy a special tax passed its first reading under a suspension of the rules.

The Senate resolution to print 500 copies of the census returns of the counties was adopted.

The bill for the relief of the tax-payers of Granville county passed its several readings.

The Senate resolution in favor of the clerks to the State board of canvassers was adopted.

Bill to amend section 1, chapter 234, laws

1881, restoring liquors to the town of Graham, passed its several readings.

On motion of Mr. Bower the committee's substitute for the revenue resolutions was made a special order for to-morrow at 11 o'clock a. m.

The House on motion adjourned.

NOTE.—We omitted to state on yesterday that Mr. Page, of Jones, made a strong speech in favor of the repeal of the prohibition law.

The bill introduced by Mr. Simmons, on Saturday, makes justices of the peace ineligible to the office of county commissioner.

The bill introduced to-day relieves the people of Carteret county from the provisions of chapter 118, sections 6 and 7 of Battle's Revisal.

SENATE.

SEVENTH DAY

WEDNESDAY, January 10.

The Senate was called to order at 11 o'clock. President Robinson in the chair.

Prayer by Rev. Dr. Skinner, of Salisbury street Baptist church.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Messrs. Battle, Berry, Womack and McLean made reports from the committee on propositions and grievances.

Messrs. Alexander, King and Linney made reports from the committee on finance.

Messrs. Pemberton, Strayhorn, McLean, Morehead, Webb, Womack and Boykin made reports from the judiciary committee.

Mr. King, of Cherokee, made a report from the committee on engrossed bills.

MESSAGES.

A message was received from the House of Representatives, announcing the passage of the following bills and asking concurrence in the same.

Bill to amend section 1, chapter 234, laws of 1881.

Bill for the relief of the tax-payers of Granville county.

Resolution to print five hundred copies of the census returns of population.

Resolutions concerning the judicial districts of the State.

Resolution in favor of the clerks of the board of State canvassers.

BILLS AND RESOLUTIONS.

Mr. Speight—Bill to exempt farming implements and mechanical tools from taxation.

Mr. Watson—Bill to repeal sec. 10, chap. 24, Battle's Revisal, and to amend section 6, chapter 9, of the revised code, concerning attorneys at law.

Mr. Scott, of New Hanover—Resolution

instructing the Attorney-General to bring an action in the proper court to inquire by what right the Seaboard and Roanoke Railroad Company hold stock in the Carolina Central Railroad Company, and to have the stock so held by the Seaboard and Roanoke Railroad Company forfeited to the State, to which it is alleged that it belongs.

Mr. Boykin, by request, bill to consolidate the insurance laws of North Carolina.

Mr. Boykin, bill to authorize the county of Pender to issue bonds.

Mr. Payne, bill to regulate and prescribe the manner of allotting the homestead and personal property exemption.

Mr. Morehead, bill to authorize the granting of judgments at Chambers in certain cases.

Mr. Toon, resolution requesting our Senators and Representatives in Congress to secure appropriations to render navigable Lumber river as far as Lumberton, in Robeson county, and Waccamaw river as far as Lake Waccamaw, in Columbus county.

Mr. Black, a bill to authorize the commissioners of Moore county to levy a special tax. By request it was placed upon the calendar.

Mr. Payne, a resolution authorizing the appointment of five Senators and eight members as a committee to take into consideration the question of establishing a railroad commission for this State. The resolution was read and adopted.

Mr. Pinnix asked indefinite leave of absence for Mr. King, of Pitt, he having received a telegram calling him home on account of sickness in his family. Leave of absence was granted.

CALENDAR.

A bill to repeal chapter 319, acts of 1881, upon its second reading was laid upon the table, Mr. Dortch stating that a bill of similar import had previously passed the Senate.

Mr. Mebane's bill, putting a fine of \$500 upon all parties who buy or sell a pistol, bowie-knife, dirk, dagger, stiletto, slung shot, loaded cane, sword cane, brass, iron or metallic knucks, upon its second reading was placed upon the table.

Bill for the relief of the administration of the late sheriff of Columbus county was put upon its second reading, but upon the suggestion of Mr. Linney was postponed until the passage of a general bill, which would meet the wants of this bill.

Bill to extend the jurisdiction of justices of the peace, giving them authority to try larceny cases where the value of articles stolen did not exceed one dollar, was put upon its second reading.

Mr. Scott, of New Hanover, the introducer of the bill, in urging its passage, cited cases where counties were put to much cost in bringing parties to trial for stealing watermelons, apples and various

other small things, and that in one case a man was sent to the Penitentiary for stealing a Bible, and argued for the passage of the bill.

Mr. Dortch asked Mr. Scott if he desired to give magistrates the power to send criminals to the penitentiary, and stated that his bill would have that effect.

Upon motion of Mr. Webb the bill was tabled.

Bill to amend chapter 282 of the laws of 1881, concerning the protection of fish in Lumber river and its tributaries was amended, passed its several readings and was ordered engrossed.

Mr. Mebane's bill fixing a penalty of \$3,000 upon all persons who ship lumber in logs from this State to any other State or Territory by raft or otherwise was laid upon the table.

Mr. Ebb's bill to repeal the law authorizing the Commissioners of Madison to pay the county indebtedness in bonds passed its several readings.

Bill to protect birds in Henderson county was tabled, there being a provision in the proposed Code, which would cover the necessities in this case.

Bill to protect fish in the waters of Henderson county, passed its second and third readings.

Bill authorizing the commissioners of Haywood county to levy a special tax for the purpose of building a court house, passed its second reading.

Mr. Boykin asked that the bill introduced by him yesterday in regard to a railroad commission be printed for the use of the Senators. The order was made.

Bill to prevent felling timber or brush in Spring creek and its tributaries, in Madison county, passed its final reading.

House bill in regard to selling liquor within one mile of Holt's Chapel, in Guilford county, was put upon its second reading.

Mr. Morehead said that by some means, or by not knowing the distance from Holt's Chapel, a former member of the Legislature had a bill passed prohibiting the sale of liquor within three miles of the Chapel, which overlapped the town of Greensboro, making it a dry town, and that the object of the bill was to remove this restriction from the town.

After a few remarks from Messrs. Battle, Linney and Watson, the bill passed its final reading.

Bill to amend section 5 of the laws of 1881, chapter 234, passed its second and third readings. This bill is to abolish prohibition from what was formerly known as Warsaw High School.

House bill repealing the prohibitory law of Rocksboro passed its final reading and was ordered enrolled.

Upon motion of Mr. Pemberton, the

Senate adjourned to meet to-morrow at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

At 10 o'clock a. m., Speaker Rose called the House to order.

Prayer by Rev. Dr. Skinner, of the First Baptist church.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Holt.

JUDICIARY COMMITTEE

reported favorably upon the following:

An act concerning Big Swamp in Bladen county.

An act amending chapter 95, laws of 1879.

An act repealing all laws prohibiting the sale of liquor except in certain localities in Perquimans county.

An act to provide for the working of the public roads by taxation.

An act to amend chapter 141, section 5, laws 1876-'77.

And unfavorably upon the following:

Bill to amend an act for the better security of human life.

Bill to prohibit the carrying off of minors.

Bill relating to obstructing the highway.

Bill concerning the netting, trapping and shooting of birds.

Bill to work the public roads of Edgecombe county by taxation.

ENGROSSED BILLS.

The committee reported as properly engrossed the following bills:

An act to amend chapter 234, the laws of 1881.

A bill for the relief of the taxpayers of Granville county.

COMMITTEE ON PROPOSITIONS AND GRIEVANCES

Reported favorably on the following:

An act making a standard weight for a barrel of Pork.

Resolution relative to the election law.

CORPORATIONS.

Reported favorably on: An act to incorporate the Newton cotton mills. An act to amend the charter of the Atlantic Coast Line Railroad.

RESOLUTIONS AND PETITIONS.

Mr. Mc Loud, resolution concerning the payment of the employees of the General Assembly.

Mr. Reid, of Gaston, resolution in favor of soldiers maimed in the late war.

Mr. Tate, petition from the citizens of Silver reek township, asking for the appointment of justices of the peace.

Mr. Riggs, petition asking the repeal of chap. 147, laws 1881, (relating to pilotage.)

BILLS.

The following bills were introduced and passed their first reading, and were appropriately rerred:

Mr. Sherrill—An act to establish graded schools.

Mr. Green, of New Hanover—An act to amend section 1, chapter 308, laws of 1881.

Mr. Peebles—An act to incorporate the Roanoke Navigation Water Company, giving it the exclusive right to use the water of the Roanoke River, and power to condemn land.

By the same—An act to authorize the county of Halifax to fund its floating debt, and to levy a special tax to pay the same.

Mr. Hewlin—An act to provide for the pay of school committeemen.

Mr. Brown—An act to amend the public school law.

Mr. McCurry—An act to amend chapter 173, laws of 1881.

Mr. Bailey, of Mecklenburg—An act to amend section 63, chapter 63, Battle's Revision, relative to sureties.

Mr. Covington—An act to authorize school committees of each township to fix the salary of teachers of all grades.

By the same, an act to exempt \$100 worth of property from taxation.

Mr. Wilson, an act to provide for the election of county officers by the people.

Mr. Stewart, an act to establish the dividing line between the counties of Harnett and Johnston.

Mr. Lenoir, an act to extend the time for getting grants for entries of land.

Mr. McAllister, an act to amend chapter 200, section 62, laws 1881.

Mr. Harris, of Davidson, an act to amend section 1, chapter 70, laws of 1879, it relating to dentists, &c.

Mr. Johnson, of Craven, an act for the protection of crops in certain localities.

Mr. Williams, of Granville, bill to authorize the commissioners of Granville county to levy a special tax.

Bill to change the time of settling with the State and County Treasurers in certain counties.

APPOINTMENT OF COMMITTEES.

The Chair announced the following committees:

Salaries and Fees—Messrs. Sherrill, Bailey of Wilson, Fulton, Houston, Reynolds, Steed, Stewart, Barrett, Temple, Frazier, Bruce, Hamilton and all.

Immigration—Messrs. Myers, Matheson, Riggs, Williams of Sampson, Beal, Marsh, Tomlins, Stokes, Reade of Person, Mitchell and Newell.

Education—Messrs. Green of Franklin, Gatling, Peebles, Leazer, Sherrill, Wood, Mathis, McCotter, Bennett, Sandifer, Riggs, Walker, Page, Bullock, Green of New Hanover, Poe and Newby.

Banks and Currency—Messrs. King, McAllister, Lawrence, McCotter, Houston, Harrison, Bradley, Dixon and Grissett.

State Debt—Messrs. Cowell, Liles, String-

field, Byrd, Hardy, Houston, Reale of Person, Hamilton, Smith and Bryan.

Railroads, Post Roads and Turnpikes—Messrs. Ray, Anderson, Bailey of Wilson, Baun, Cheek, Fulton, Gudger, Person, Jenkins, Henderson, Landreth and Harris of Wake.

Claims—Messrs. Strudwick, Brown, Byrd, Patrick, Lenoir, Liles, Sandifer, Covington, Bridgers, Bledsoe, Grissett and Leary.

CALENDAR.

The calendar was then taken up and disposed of as follows:

Bill to amend chapter 232, laws 1879, passed its third reading.

Bill to levy a special tax in Jones county, passed its second reading.

Bill to repeal chapter 141, laws 1876-77, and allowing justices of the peace to be voted for by the people. Referred.

Bill to confirm the donation of land, &c., in Edenton to the Elizabeth City and Norfolk Railroad, passed its third reading.

Bill touching injunction orders. Third reading.

SPECIAL ORDER.

The hour for the consideration of the substitute of the committee for the resolutions relative to the internal revenue having arrived, which was the special order for this hour the House proceeded to consider the following resolution came up on its second reading:

Be it resolved by the General Assembly of North Carolina:

1st. That the internal revenue taxes of the United States ought to be repealed at once, with such provision by rebate of taxes or otherwise, as will be just to those who hold for sale articles on which such taxes have been paid.

2d. That the collection from imports, unaided by internal taxation, of the large sum now necessary for the administration of the Federal government, would give incidental protection to home manufactures amply sufficient for their healthy development.

3d. That though Congress has power to lay and collect duties, yet to lay duties higher than the per cent. at which they would raise the greatest revenue is, as to the excess above that per cent., to lay duties so as to prevent their collection, and is therefore without warrant in the constitution, and that it is unjust and oppressive.

4th. That within that per cent. Congress may in its discretion select and determine the articles on which duties are laid, and the rates of the duties on them.

5th. That this discretion ought to be exercised so as to raise a revenue not greater than is sufficient for the strictly economical administration of the Federal government, and the gradual reduction of the Federal debt; and so as to distribute the burdens of the tariff, and the incidental protection given by it, as justly and equally as possi-

ble to every part of the country and to all classes of the people.

6th. That these resolutions are not intended to interfere with the application of the principle that it is just and wise to tax articles that are intended to be consumed as luxuries higher than the necessities of life, and the materials, implements and machinery consumed or used in producing, manufacturing and transportation.

7th. That the tariff of the United States ought to be reformed, so as to make it conform to the principles set forth in the foregoing resolutions.

8th. That the Secretary of State is instructed to transmit copies of these resolutions to the Senators in Congress from North Carolina, as an expression of the voice of the State on the issues to which they relate, and to the Representatives in Congress from North Carolina for their respectful consideration.

Mr. Bower offered the following amendment:

If Congress should deem it impracticable to modify the present tariff, and at the same time abolish the internal revenue taxes, as the less of the two evils we prefer the retention of the former, and the abolition of the latter, which was adopted.

Mr. Powers, of Cumberland, offered the following substitute:

Resolved by the House of Representatives, the Senate concurring, that our Senators in Congress be instructed and our Representatives be requested to vote to abolish the internal revenue system, but in case that is impracticable, then to modify and reduce the same; and in case neither is attainable to vote for the distribution of the internal revenue derived from distilled spirits among the States according to illiteracy for educational purposes.

Mr. Peebles offered the following amendment to Mr. Powers' substitute, which was accepted by Mr. Powers:

Provided, that the State authorities have exclusive control and management of said fund.

There was much discussion on this measure, participated in by Messrs. Powers, of Cumberland, Bailey of Mecklenburg, Sherrill, Bowen, Bledsoe, Harris of Wake, McLeod, McCotter and others. Mr. Peebles spoke at length, and during the course of the debate Mr. Stanford paid his respects to Mr. Powers in a happy vein.

The previous question was called and sustained, the yeas and nays were called, and the vote on the adoption of Mr. Powers' substitute was as follows:

Yeas—Messrs. Baker, Ball, Belcher, Bledsoe, Bradley, Bridgers, Bruce, Bryan, Bullock, Candler, Covington, Dixon, Eaton, Green of New Hanover, Grissett, Hamilton, Harrison, Harris of Wake, Hayes of Robeson, Henderson, Hewlin, Johnson of Cra-

ven, Landreth, Leary, Lineback, Mitchell, Montgomery, Newby, Newell, Nixon, Page, Pitman, Poe, Powers of Cumberland, Proctor, Smith, Speller, Stokes, Sutton, Temple, Waddell, Wilcox—42.

Nays—Messrs. Abbott, Anderson, Bailey of Mecklenburg, Bailey of Wilson, Barrett, Baum, Beale, Bennett, Bower, Brown, Bunn, Byrd, Cain, Cheek, Crouse, Cowell, Forbis, Frazier, Gatling, Glenn, Green of Franklin, Gudger, Hardy, Harris of Davidson, Hayes of Swain, Houston, Johnson of Johnston, King, Lawrence, Leazar, Lenoir, Liles, McAllister, McCotter, McCurry, McCloud, Marsh, Matheson, Mathis, Myers, Overman, Patrick, Peebles, Person, Phillips, Posey, Powers of Cleaveland, Ray, Reid of Gaston, Reade of Person, Reynolds, Riggs, Robbins, Sherrill, Simmons, Stanford, Steed, Stewart, Stringfield, Strudwick, Tate, Thompson, Tomlins, Turner, Walker, Williams of Granville, Williams of Sampson, Williamson, Wilson, Wood, Worthington—71.

The question of the adoption of Mr. Bowers' amendment to the substitute of the committee was then put to the house, and the amendment adopted.

Upon the adoption of the committee's substitute, as amended, the yeas and nays were called, and the vote was as follows :

Yeas—Messrs. Abbott, Anderson, Bailey of Mecklenburg, Bailey of Wilson, Baker, Ball, Barrett, Baum, Beale, Belcher, Bennett, Bledsoe, Bower, Bradley, Bridgers, Brown, Bryan, Bullock, Bunn, Byrd, Cain, Candler, Covington, Cheek, Crouse, Cowell, Dixon, Forbis, Gatling, Glenn, Green of Franklin, Gudger, Hamilton, Hardy, Harris of Davidson, Hayes of Robeson, Hayes of Swain, Henderson, Holt, Holton, Houston, Jenkins, Johnson of Johnston, King, Landreth, Lawrence, Leazar, Lenoir, Liles, Lineback, McAllister, McCotter, McCurry, McCloud, Marsh, Matheson, Mathis, Mitchell, Myers, Newell, Nixon, Overman, Page, Patrick, Peebles, Person, Phillips, Poe, Posey, Powers of Cleaveland, Powers of Cumberland, Proctor, Pruitt, Ray, Reid of Gaston, Reade of Person, Reynolds, Riggs, Robbins, Sherrill, Simmons, Smith, Stanford, Steed, Stewart, Stokes, Stringfield, Strudwick, Tate, Temple, Thompson, Tomlins, Turner, Walker, Williams of Granville, Williams of Sampson, Williamson, Wilcox, Wilson, Wood, Worthington—101.

Nays—Eaton, Frazier, Green of New Hanover, Grissett, Harrison, Harris of Wake, Johnson of Craven, Leary, Montgomery, Newby, Pitman, Speller, Sutton, Waddell—14.

Mr. Harris, of Wake, in explaining his vote, stated that he voted against the resolution on account of the free trade embraced in it.

The substitute passed its third reading,

CALENDAR.

The calendar was then resumed.

Bill to amend the charter of the Atlantic Coast Line Railroad Company. Third reading.

Bill to exempt from poll tax persons over 45 years of age. Tabled.

Bill to relieve ministers from poll tax. Passed over informally.

Bill to incorporate the Narrow Island Club. Passed over informally.

Bill relative to the sale of liquor on days of public speaking. Made special order for 11 o'clock a. m., to-morrow.

Bill to pay witnesses in criminal causes before justices of the peace. Passed over informally.

The House on motion, adjourned.

SENATE.

EIGHTH DAY.

THURSDAY, January 11, 1883.

President Robinson called the Senate to order at 11 o'clock.

Prayer was offered by Rev. Dr. Atkinson, pastor of the Second Presbyterian church.

The journal of yesterday was read and approved.

Mr. Berry announced that his colleague, Mr. Neill, was present, and ready to take his seat. After taking the oath of office, he was conducted to his seat.

PETITIONS.

Mr. Whitford, petition of citizens of Craven county, in regard to the waste of timber in that county during the war.

Mr. Pinnix, a petition from citizens of Davidson county in regard to drainage of Fry's creek in said county.

Mr. Watson, a petition from citizens of Forsyth and Davidson counties in regard to the drainage of South Fork creek.

Mr. Watson, a petition in regard to prohibition in Germantown, Stokes county.

REPORTS OF COMMITTEES.

Reports were made from the following committees :

Judiciary committee, by Mr. Black.

Education, by Messrs. Costner and Mebane.

Engrossed bills, by Mr. King, of Cherokee.

Corporations, by Messrs. Evans and Strayhorn.

Privileges and elections, by Mr. Jones.

BILLS AND RESOLUTIONS INTRODUCED.

Mr. Whitford, bill for the relief of the farmers of Craven county. Referred to committee on agriculture.

Mr. Watson, bill concerning the sale of spirituous liquors at Germantown, Stokes county.

By the same, bill concerning the drainage of the low lands of South Fork creek, in Forsyth and Davidson counties.

Mr. Payne, by request, bill to amend the charter of the Hibernian Benevolent So-

ciety of Wilmington. Referred to committee on corporations.

By the same, by request, bill to amend chapter 117, laws of 1881, in regard to levying taxes. Referred to finance committee.

Mr. McLean, bill to restore fees to attorneys at law in civil cases. Referred to judiciary committee.

By the same, bill to repeal chapter 212, laws of 1879.

Mr. Lyon, bill in regard to lands belonging to the board of education in Bladen county. Referred to committee on education.

By the same, bill to prescribe the fees of clerks of the Superior Court for probating and of Register of Deeds for recording chattel mortgages.

Mr. Womack, resolution concerning Governor's Mansion and repairing State Capitol. Placed upon the calendar.

Mr. Pinnix, by request, bill in regard to securing better drainage of the low lands of Fry Creek.

Mr. Womack, resolution to print 100 copies of joint rules for use of the Senate.

Mr. McLean, a bill to amend chapter 234, laws 1881.

Mr. Clark, a resolution requesting the Treasurer to inform the Senate whether the five hundred and fifty thousand dollars of the first mortgage bonds of the Western North Carolina railroad have been deposited in the Treasury.

By the same, bill to fix the time at which the value of property wrongfully taken shall be assessed.

Mr. Hill, regarding the sale or giving away of spirituous liquors at places where political speakings are held.

Mr. Ebbs, bill in regard to allowing commissioners to place the names of school committeemen in the jury box. Referred to judiciary committee.

By the same, bill disallowing the registers of deed any fees except mileage and per diem while acting as clerk ex officio to the board of county commissioners. Referred to committee on salaries and fees.

Mr. Loftin, bill to pay judges or inspectors of election for their services.

Mr. Scott, of Rockingham, resolution suggesting to the committee on finance certain charges in the manner now in force of collecting merchants' tax, which was adopted.

MESSAGES.

Messages were received from the House announcing the passage of the following bills:

Bill relating to lands donated by the town of Edenton to the Elizabeth City and Norfolk Railroad Company.

Bill touching injunction orders.

Bill to amend the charter of the Atlantic Coast Railroad.

Upon motion of Mr. Womack the rules were suspended and the report of the committee on joint rules for the government of the two houses was adopted. The rules reported are the same as governed the last Legislature, except that they do not provide for a committee on apportionment.

Upon Mr. Jones' motion the rules were suspended and the report of the committee on privileges and elections in regard to the contested case between Halstead and Woodhouse was taken up. The committee unanimously reported by resolution that Mr. J. M. Woodhouse, Democrat, was entitled to the seat in the Senate as Senator from the first district instead of Mr. Halstead, Republican, who held the seat by a certificate from that district.

Pending the passage of the resolution Mr. Clarke stated that he was a Republican, but felt assured from the evidence that had been brought before the committee that Mr. Woodhouse was duly elected, and was in favor of his being seated.

Mr. Jones, chairman of the committee, explained that the reason a report was made favorable to Mr. Woodhouse was because in one township, St. John's, it was found that the board of canvassers gave Mr. Woodhouse credit for only 82 votes, while the records show that he received 282—these 200 votes omitted being a sufficient number to give Mr. Woodhouse a majority over his competitor.

Mr. Halstead said he wanted the Senate to distinctly understand that he had no hand in bringing about the fraudulent returns of St. John's township, that he had had a great deal to do with handling election returns since the war, and that he always regarded them as sacred as the funeral rites of the dead.

Mr. Linney asked if he was willing to hold the seat, knowing as he did that Capt. Woodhouse was elected.

Mr. Halstead said he was willing to give it up. His greatest complaint seemed to be on account of the committee not giving him more time before the report was made.

Mr. Purnell, Republican, said that Mr. Halstead had had every showing any man could ask, and as there was no evidence before the committee to justify it in postponing the matter any longer, he was in favor of immediate action, and in favor of giving Mr. Woodhouse a seat as Senator from the first district at once.

The resolution was adopted—all the Senators present voting for it except Mr. Scott, of New Hanover, who voted against it.

CALENDAR.

Upon the request of Mr. McLean, bill relating to the sale of liquor within certain distances of Bethany Presbyterian church, and Sandy Creek Baptist church, in Robeson county, was considered and passed its several readings.

Bill to authorize the commissioners of Haywood county to levy a special tax to build a court house passed its final reading, all the Senators present voting for it except Mr. Purnell, who voted against it.

Bill for the relief of the administrator of the late sheriff of Columbus county, was passed over informally.

Bill for the relief of the tax-payers of Granville county passed second and third readings.

Bill repealing the law which prohibits the selling or giving away of spirituous liquors within two miles of any political speaking, was placed upon its second reading.

Mr. Scott, of Rockingham, the introducer, was sorry that the judiciary committee saw fit to recommend adversely on this bill, and argued that his bill should pass, for the law as it now stands discriminates in favor of incorporated towns, and that this bill would place all towns on an equal footing in regard to the sale of liquor on days of political speaking.

Mr. Womack could see no good reason for repealing the law, for if it was violated at times the courts of the State should be applied to and the law properly enforced.

Mr. Hill thought as the law stands it was class legislation in favor of bar-keepers in incorporated towns.

Mr. Watson said there were about forty stills and liquor shops in one county of his district, and the present law had the effect of injuring this industry to a considerable extent during every campaign, and that it would virtually change the selling of the beverage from across the counters to the chinquepin thickets in the west and the whortleberry swamps in the east.

Mr. Linney was opposed to the sale of liquor, but was favorable to the repeal of this law from the fact that in many cases the law, would be violated unintentionally, the party selling within the distance of two miles without knowledge of the speaking, and cited as an illustration the severe laws of Caligula, which were hung so high that they were never read and then the offenders punished for the violation.

Mr. Forehead favored the law as it now stands.

Mr. Clarke said it worked well in his section, and that if it was repealed it would be a public calamity. While liquor was a good thing in its place, he was in favor of throwing all possible safeguards about it.

Mr. Watson—How many stills are in your district?

Mr. Clarke—Quite a number. There is a large revenue from them in my district.

Mr. Pemberton—Where is the right place for whisky?

Mr. Clarke—Not in the stomachs of people about a political speaking.

Mr. Payne offered an amendment to pro-

hibit the sale or distribution of liquor at the place of speaking.

Mr. Womack inquired what distance from the man speaking his amendment included.

Mr. Payne:—Within the range of the speaker's voice, and not two miles, for the speaker would have an extraordinary pair of lungs if he could be heard that distance.

Upon motion of Mr. Strayhorn the bill with amendment was re-committed to the judiciary committee.

Mr. Halstead, bill to amend the laws of 1879, making the governor's salary \$4,000, was put upon its second reading, and upon motion of Mr. Linney was indefinitely postponed.

Bill in regard to the landlord and tenant act was re-committed to judiciary committee.

Bill to amend chapters 1, 2, 9 and 10 of laws of 1879, upon motion of Mr. Elack, was tabled.

Bill to prevent justices of the peace from electing themselves was informally passed over.

Bill in regard to clerks of the court employing deputies, upon motion of Mr. Mebane, the introducer, was tabled.

Bill for the relief of the sheriffs of the State, upon motion of Mr. Linney, was re-committed.

Bill in regard to registers and judges of election, upon motion of the introducer, Mr. Mebane, was indefinitely postponed.

Bill amending chapter 3, laws of 1876-77, in regard to lawful fence, passed its several readings.

Bill amending chapter 62, laws of 1873-'74, transferring jurisdiction from magistrates to Superior Court in regard to sale of cotton within certain hours, passed its several readings and was ordered engrossed.

Bill to authorize the registration of the bonds of this State, to provide the means therefor and other purposes, passed second and third readings and ordered engrossed.

Bill in regard to cotton weighers employing assistants passed and ordered engrossed.

Bill relating to disposition of mortgage property was passed and ordered engrossed.

House bill in regard to the commutation and settlement of the State debt passed and was ordered enrolled.

Upon motion, the Senate adjourned to meet to-morrow at 11 o'clock.

HOUSE OF REPRESENTATIVES.

The House was called to order by Speaker Rose, at 10 o'clock p. m.

The reading of the journal was dispensed with.

COMMITTEES.

Various committees reported favorably upon the following bills:

To relieve Carteret county from the provisions of sections 6 and 7, of chapter 118,

of Battle's Revisal. To make fishermen reserve their net stakes in navigable waters. To ascertain the dividing line between Carteret and Craven counties. To amend chapter 34, laws of 1880. To extend the time for taking out grants for land. To establish the dividing line between Harnett and Johnston county. To repeal the act making Tuckasegee river a lawful fence. Act concerning the Supreme Court Reporter. A substitute for an act repealing chapter 147, laws 1881, relative to pilotage. A substitute for an act to make the Carolina Central Railroad keep a light on their bridge above Wilmington. For the protection of sheep and other domestic animals in Yancey county. To amend section 3, chapter 84, laws of 1879.

To prohibit the erection of artificial islands in the navigable waters of the State.

To authorize the commissioners of Carteret county to pay certain school orders. Substitute for an act to amend section 63, chapter 63, of Battle's Revisal.

Resolutions of instruction to our members in Congress relative to the internal revenue.

ENGROSSED BILLS.

The committee reported as properly engrossed the following bills and resolutions: To print joint rules.

Touching injunction orders.

To amend the charter of the Atlantic Coast Line Railroad.

To confirm the donations of land in the town of Edenton to the Elizabeth City and Norfolk Railroad Company.

RESOLUTIONS.

Mr. Glenn, resolution allowing the tax collector of Rockingham and other tobacco-growing counties until the first of May to settle taxes.

Mr. Gudger, resolution explaining the sense of the House relative to its members seeking offices created by the General Assembly.

BILLS.

The following bills were introduced, passed their first reading and were appropriately referred.

Mr. Baker, to establish the county line between the counties of Northampton and Warren.

Mr. Bailey, of Mecklenburg, to allow a second action for the recovery of land. Requiring county commissioners to hold their meeting public.

Mr. Grissett, concerning fees on chattel mortgages.

Mr. Bryan, to elect school committees by the voters of the school districts. To abolish the county superintendents of free schools in North Carolina.

Mr. Hayes, of Swain, to allow the tax collector to collect arrears of taxes for the years 1879-80-81 and 82.

Mr. Covington, allowing school committees one dollar per day while actually engaged. For the protection of citizens and factory operatives.

Mr. Barrett, regulating fishing in Pamlico and Tar rivers.

Mr. Bullock, to pay registrars, judges, &c., of elections.

Mr. Harris, of Davidson, to abolish the office of County Superintendent of Public Instruction.

Mr. Smith, to furnish soldiers from North Carolina with artificial limbs.

Mr. Rose, to grant amnesty and pardon to certain persons retailing liquor without license.

Mr. Page, for the protection of farmers.

Mr. Newby, to authorize the commissioners of Pasquotank county to levy a special tax.

Mr. Green, of Franklin, to change the fiscal year of the State government and for other purposes.

CALENDAR.

The calendar was then taken up and the following bills disposed of as follows:

To authorize the county commissioners of Jones county to levy a special tax, passed its third reading.

To incorporate the Newton Cotton Mills, passed third reading.

To amend chapter 116, laws 1881, changing gallon to quart, passed third reading.

To amend chapter 141, section 5, laws of 1876-'77, making justices of the peace ineligible to the office of county commissioners, passed over informally.

To relieve ministers of the gospel from working the roads and from poll-tax. Tabled.

SPECIAL ORDER.

11 o'clock having arrived, and the following bill being the special order for that hour, was taken up on its second reading.

Bill to repeal chapter 212, laws of 1879, which prohibits the sale of liquor on days of public speaking.

Mr. Glenn, of Rockingham, said:

"I am as much opposed as any one to tearing down all restrictions and flooding the country with whisky, but I believe all our laws should be just and bear upon all persons alike, and it is for the reason that this is an unjust law that I wish to see it repealed. Take my own county, Rockingham, for an example. We have a great many bar-rooms; they are all taxed heavily and all have to pay the same for their license, yet in four or five places they have the right to sell at all times because they are incorporated, and all other places are denied this right upon any day that any one may advertise to speak there. Yet these bar-keepers are paying the same taxes that those are who can sell all the time. Besides, while the regular dealers are prohibited

from selling, it is sold on the sly by persons who have no right to sell, thus violating the law, and doing an injustice to those who pay the tax and try to observe the law."

Mr. Myers stated "that while the people had expressed their disgust for a prohibition law, yet there was very great danger of going to the other extreme, and he thought the House had better proceed cautiously."

Mr. Harris, of Wake, hoped that the gentleman from Rockingham would only insist on a repeal of the law, as far as his county was concerned—that so far as he was concerned he would then vote for the bill, but that he was unwilling to remove the restraint from the sale of whisky at such times in his own county. Mr. Powers, of Cumberland, agreed with Mr. Meyer and hoped the present bill would not pass.

Mr. Stringfield also spoke in opposition to the present bill.

On motion the bill was laid upon the table.

CALENDAR (resumed).

To incorporate the Narrows Island Club. On motion of Mr. Sandford, referred to the committee on corporations.

To repeal chapter 95, laws of 1879. On motion of Mr. McLoud, it was made the special order for to-morrow at 12 o'clock m.

Relative to the carrying off and hiring of minors. Tabled.

To amend the act entitled an act for the better security of human life. Indefinitely postponed.

To pay witnesses in criminal prosecutions before justices of the Peace. Referred.

To amend chapter 116, section 26, laws 1881, by changing the word gallon to pint. Tabled.

To amend section 17, chapter 116, laws 1881. Failed to pass its second reading.

To work the public roads by taxation. Tabled.

To prevent the obstruction of highways. Tabled.

To exempt farming implements from taxation. Tabled.

To incorporate the Charlotte cotton mills. Passed third reading.

To amend the act prohibiting the sale of liquor on Sunday, so as to prevent the disposing of it in any manner. Passed third reading.

To establish the standard weight for a barrel of pork. Passed third reading.

Relative to Big Swamp, in Bladen county. Passed third reading.

To appropriate and set apart certain funds for the use of the Western North Carolina Insane Asylum. Passed third reading.

Of instruction to our members in Congress, asking that the time of holding elec-

tions be changed to the first Tuesday in August. Informally passed over.

Of instruction to the finance committee relative to distillers of fruit. Referred.

Relative to soldiers in the late war who lost limbs. Referred.

MESSAGE.

A message was received from the Senate informing the House that the following bills and resolutions had been passed by the Senate:

To amend section 5, ch. 234, laws 1881.

Prohibiting the catching of fish in Lumberton river.

Prohibiting the felling of timber in Spring Creek township in Madison county.

To authorize the commissioners to pay the indebtedness of Madison county in bonds.

Relative to fishing in the waters of Henderson county.

To raise a joint committee on railroad commission. Concurred in.

Prohibiting the sale of liquors in one mile of Holt's Chapel. Concurred in.

Leave of absence was granted to Messrs. Page, Dixon and Fulton until Monday and to Mr. Harrison until Tuesday.

The rules were on motion suspended and the following resolution adopted:

Resolution relative to the pay of the employees of the General Assembly.

The House on motion adjourned.

SENATE.

NINTH DAY.

FRIDAY, January 12.

The Senate was called to order by President Robinson.

Prayer by Rev. Mr. Gwaltney, pastor of the Second Baptist church of this city.

Journal of yesterday was read and approved.

Mr. Scott, of New Hanover, said upon investigating more fully in regard to the contested case between Halstead and Woodhouse, that he was satisfied that neither one of the parties were to blame for what they had done, and that the action of the committee and the Senate was correct in seating Mr. Woodhouse, and that he would be glad to change his vote of yesterday.

The chair ruled that he had no right to order a change of the record.

Mr. Dortch said he could see no reason but that Mr. Scott could be allowed to record himself as voting for Mr. Woodhouse to take his seat if it was by unanimous consent of the Senate.

Mr. Ramsay moved that Mr. Scott be so recorded.

Mr. Morehead said the Senate had no right to change the record of yesterday unless the record was in error. In this case there was no error in the record and

the journal could not be changed, but that the journal of to-day could show by the adoption of the motion that Mr. Scott had changed his mind in regard to the matter.

Mr. Ramsay said that inasmuch as the changing of this vote would not change the result, Mr. Scott ought to be allowed this privilege. This motion prevailed unanimously.

PETITIONS.

Mr. Watson introduced a petition from the tobacco manufacturers of Winston in regard to the license tax.

Mr. King, of Cherokee, petition to allow the commissioners of Cherokee county to levy a special tax to create a sinking fund.

Mr. Boykin, petition from citizens of Clinton, Sampson county, in regard to their town charter.

Mr. Watson, petition from citizens of Germantown, asking that that town be incorporated.

REPORTS OF COMMITTEES.

Reports were received from the following committees:

Judiciary, by Messrs. McLean, Boykin, Womack, Strayhorn, Black, Loftin, Caho, Webb and Dortch.

Corporations, by Messrs. Evans and Mebane.

Engrossed bills, by Mr. King, of Cherokee.

MESSAGES.

Messages were received from the House announcing the passage of the following bills and asking the Senate to concur in the same:

Bill to incorporate the Charlotte cotton mills.

Bill to amend chapter 116, laws of 1881.

Bill to appropriate and set apart certain funds to the use of the Board of Directors of the Western North Carolina Insane Asylum.

Bill to allow the county commissioners of Jones county to levy a special tax.

Bill to amend an act to prevent the sale of malt or spirituous liquors on Sunday.

Bill concerning Big Swamp in Bladen county.

Bill to establish a standard weight of a barrel of pork.

Resolution on internal revenue taxation.

Resolution concerning the pay of the employees of the General Assembly.

A message was received from the House announcing that that body had concurred in the Senate amendment to House bill in regard to the sale of liquor near Holt's Chapel in Guilford Co.; and also concurred in the Senate resolution to take into consideration the establishment of a railroad commission.

BILLS AND RESOLUTIONS INTRODUCED.

Mr. Morehead, a bill to amend the law of divorce.

Mr. Ramsay, a bill for the relief C. C.

Sandford, the late sheriff of Davie county. Referred to the committee on finance.

Mr. Scott, of Rockingham, a bill to amend the law in regard to the cancellation of mortgages.

Mr. Purnell, a bill modifying the law of practice in respect to the continuance of actions and matters pending in the several courts of the State. Referred to the judiciary committee.

Mr. Caho, resolution in regard to the joint select committee on fish interests.

Mr. McLean, a bill amending the law relating to advertising.

Mr. Clarke, a resolution in regard to the expenses of Messrs. Halstead and Woodhouse. Placed on the calendar.

Mr. Toon, bill to incorporate the Southern Ore Company. Referred to committee on corporations.

By the same, bill for the relief of disabled Confederate soldiers.

Mr. Webb, bill to amend the public school law.

Mr. Watson, bill to incorporate the town of Germantown, in Stokes county.

By the same, bill for the protection of mechanics and co-laborers.

Mr. Linney, bill to provide a remedy for forcible entry and detainer. Referred to the judiciary committee.

Mr. Gray, bill to amend chapter 116, laws 1881. Referred to the finance committee.

Mr. Boykin, bill to amend the law in regard to the charter of the town of Clinton. Referred to the committee on corporations.

The following announcements were made of the Senate branches of joint committees:

Salaries and fees—Messrs. Woodhouse, Black, Alexander, Berry, Scott of New Hanover, Gray and Goodwyn.

Printing—Messrs. Evans, Whitford and Spight.

Library—Messrs. Hill, Hampton and Eaves.

Public buildings and grounds—Messrs. Poole, Battle and Purnell.

Redistricting the State—Messrs. Caho, Dortch, Boykin, Womack, Pinnix, Graham, Watson, Jones and Clarke.

Railroad commission—Messrs. Payne, Pinnix, Boykin, Costner and Clarke.

Enrolled bills—Messrs. Pemberton, Black and Ramsay.

Mr. Woodhouse was announced as taking the place of Mr. Halstead on the committee on finance.

Upon motion, Mr. Pinnix and Mr. Hampton were added to the judiciary committee.

Leave of absence was granted Messrs. McLean, Lyon, Goodwyn and Scott, of New Hanover.

CALENDAR.

Bill for the relief of the administrators of the sheriff of Columbus county passed its third reading and was ordered engrossed.

Bill authorizing the commissioners of Moore county to levy a special tax to pay county indebtedness passed, and was ordered engrossed. Every Senator present voted for the bill except Mr. Purnell, who voted against it.

Bill in regard to Pender county issuing coupon bonds to build a court house, jail, &c., was put upon its second reading.

Mr. Scott, of New Hanover—This county is in my district, and I want the passage of the bill delayed until I have a chance to go down and consult with the citizens of Pender as regards their wants.

Mr. Boykin—The bill was given me to introduce by one of the largest taxpayers of the county, and I know it meets the approbation of the county commissioners. I practice in the courts in that county, and know the people need a court house and jail. All their prisoners are now confined in New Hanover jail.

Mr. Goodwin—I see no reason why this bill should not pass its second reading to-day, and then before its final passage the gentleman from New Hanover will have a chance to learn more about it.

The bill passed its second reading.

Bill to repeal chapter 331, laws of 1879, in regard to lunatics outside the asylum, upon motion of Mr. Lack was tabled.

Bill in regard to magistrates in Lenoir county electing themselves was put on its second reading.

Mr. Loftin, the introducer, said it had become a disgrace to the management of county affairs in Lenoir the way matters had been conducted there by the magistrates, in the way of keeping themselves and near relatives in office, which the people of the county generally disapproved, and that the county might get the proper relief it was necessary to pass this bill.

Mr. Dortch: The Code provides that no magistrate is allowed to elect himself commissioner, which will cover the bill now pending.

Upon a motion made to table, made by Mr. Costner, Mr. Loftin demanded the yeas and nays. The bill was placed upon the table, 30 to 8.

Bill to amend the public school laws of 1881, upon motion of Mr. Pemberton, was tabled.

Bill to repeal the amendment to the charter of the town of Plymouth, Washington county, made during the session of 1881, passed, and was ordered engrossed.

Bill to amend chapter 318, laws of 1881, by striking out Halifax county, passed, and was ordered engrossed.

Bill to amend chapter 200, laws of 1881, upon motion of Mr. Gray, was indefinitely postponed.

Bill allowing the sale of liquor in the town of Germantown passed, and was ordered engrossed.

Bill to secure better drainage for the low lands of South Fork Creek, in Forsyth and Davidson counties, upon motion of Mr. Pinnix, was postponed until next Tuesday.

Resolution of inquiry to the Treasurer in regard to the \$550,000 bonds was read.

Mr. Clarke, the introducer, said that the people of his section were right much interested to know all about this matter, and that he offered the resolution to get a plain report from the Treasurer.

Mr. Boykin—I do not see the necessity of hurrying this matter through, and think it would be better to refer the resolution to a committee.

Mr. Morehead called the attention of the Senator from Craven to the fact that the Treasurer's report, now on the desks of the Senators showed the disposition of \$220,000.

Mr. Clarke—Yes, sir, but I want to know about that \$30,000.

Mr. Pemberton—I have no objection to the resolution and will stand security that Dr. Worth can show where every dollar of the money went to.

Mr. Clarke—I do not charge the Treasurer with fraud, for I believe him to be one of the most honest men in the State; I only want to know what has become of the funds.

Mr. Dortch—If the Senator will read the bill of sale of the Western North Carolina Railroad, enacted at the special session of 1880, he will see that the \$30,000 was paid cash.

Mr. Caho moved to refer the resolution to the committee on finance. Lost.

A vote was then taken upon the resolution and it was adopted.

Resolution appointing a committee to look into the propriety of erecting a Governor's mansion and renovating and repairing the capitol was adopted.

Resolution in regard to paying Mr. Halstead, the ousted Senator from the first district, fifty dollars in addition to mileage and per diem was, upon motion of Mr. Loftin, placed upon the table.

Senate adjourned to meet at 11 o'clock to-morrow.

[NOTE.—In the report of bills introduced yesterday, the reporter unintentionally omitted one by Mr. Pemberton, a bill to more effectually punish the crime of attempting to murder by poisoning.]

HOUSE OF REPRESENTATIVES.

The House met at the usual hour, Mr. Speaker Rose in the chair.

Prayer by the Rev. Mr. Gwaltney, of the Second Baptist church.

The reading of the journal of yesterday was on motion dispensed with, and it stood approved.

REPORTS OF COMMITTEES.

Judiciary—Reports were made by Messrs. McLeod, Forbis, Bullock, Overman, Rob-

bins, Frazier and Holton. Mr. Bailey, of Mecklenburg, the chairman, reported for the committee the following: A bill to be entitled an act to grant amnesty and pardon to persons who retailed liquors without license [during prohibition excitement.]

Corporations—Mr. Lawrence made a report for this committee.

Education—Reports were made by Messrs. Leazar and Bullock.

Propositions and Grievances—Messrs. Holt, Green of New Hanover and Nixon made reports.

Salaries and Fees—Mr. Sherrill made the report for this committee.

Internal Revenue—Report of this committee was made by Mr. Holton.

Finance—Reported through Mr. Tate.

Engrossed Bills—Mr. Gatling made a report for this committee.

PETITIONS.

The following petitions were introduced:

Mr. Beal, petition from the citizens of Davidson county, praying that the sale of intoxicating drinks be prohibited within two miles of Rick's school house.

Mr. Stringfield, petition asking that the sale of liquor be prohibited near Harmony Grove and Arnold Plains churches.

Mr. Williams, of Sampson, petition from citizens of his county with reference to a school district.

Mr. Bryan, petition asking that a part of the top of the Blue Ridge be made the dividing line between Alleghany and Wilkes counties.

BILLS.

The following bills were introduced and passed their first reading, and were appropriately referred:

Mr. Simmons, making it a misdemeanor to ride or drive faster than a walk over Washington, Aurora and Leachville bridges.

Mr. Stringfield, to prohibit the sale of intoxicating drinks within two miles of Harmony Grove, Arnold Plains and Bethel churches in Haywood county.

Mr. Byrd, to amend chapter 173, laws of 1881.

Mr. Forbis, amending the constitution relative to the election of sheriffs and coroners.

Mr. Worthington, to establish twelve judicial districts in North Carolina.

Mr. Bailey, of Mecklenburg, to authorize judges going out of office to perform certain functions.

Mr. Strudwick, to amend chapter 183, laws of 1879, relating to notes and bonds.

Mr. Holt, repealing the act incorporating the town of Mebanesville.

Mr. Bryan, to make a part of the top of the Blue Ridge the dividing line between the counties of Alleghany and Wilkes.

Mr. Tate, relative to the forgery of names to petitions and other papers.

Mr. Stringfield, concerning the killing of live stock by railroads.

Mr. Bower, for the relief of Samuel Hartley, late tax collector of Caldwell county.

Mr. Bailey, of Mecklenburg, to authorize the Virginia and Carolina Railroad and the Pamlico Railroad Companies to extend and operate their roads within the limits of this State.

Mr. Wilcox, to amend the resolution to remit tax fees on turnpike roads.

CALENDAR.

The calendar was then taken up and the following bills disposed of as follows:

To amend section 2, chapter 89, laws 1881, (relating to the seduction of married women). Tabled, and the motion to table reconsidered, and that motion laid upon the table.

The committee's substitute to an act to repeal chapter 141, laws 1881, relating to pilotage, passed third reading.

A bill to provide for the working of the public roads by taxation.

Mr. Williams, of Sampson, moved to table, and upon that motion the ayes and nays were called for and the call sustained. The bill was upon a vote being had tabled by a party vote. The vote was as follows:

AYES—Messrs. Abbott, Anderson, Bailey, of Mecklenburg, Bailey, of Wilson, Ball, Barrett, Baum, Beale, Bennett, Bower, Bradley, Brown, Bruce, Dunn, Byrd, Cain, Candler, Crouse, Cowell, Forbis, Gatling, Glenn, Green, of Franklin, Gudger, Hamilton, Hardy, Harris, of Davidson, Hayes, of Swain, Holt, Houston, Johnson, of Johnston, King, Landreth, Lawrence, Leary, Leazar, Liles, McAllister, McCotter, McCurry, McLoud, Marsh, Matheson, Mathis, Myers, Overman, Patrick, Peebles, Person, Philips, Posey, Powers, of Cleveland, Pruitt, Ray, Reid, of Gaston, Reade, of Person, Reynolds, Riggs, Robbins, Sherrill, Simmons, Steed, Stewart, Stringfield, Strudwick, Thompson, Tomlins, Turner, Walker, Williams, of Granville, Williams, of Sampson, Williamson, Wilson, Worthington, Ray—75.

NAYS—Messrs. Belcher, Bledsoe, Bridges, Bryan, Bullock, Covington, Cheek, Eaton, Frazier, Green, of New Hanover, Grissett, Harris, of Wake, Hayes, of Robeson, Henderson, Hewlin, Holton, Jenkins, Johnson, of Craven, Lincback, Montgomery, Newby, Newell, Nixon, Pitman, Poe-Powers, of Cumberland, Proctor, Smith, Speller, Stokes, Sutton, Temple, Mitchell, Wilcox—35.

Upon motion, the vote to table was reconsidered and that motion laid upon the table.

To amend section 3, chapter 84, laws of 1879. Passed its third reading.

For the protection of sheep and other domestic animals in Yancey county. Passed its third reading.

To exempt magistrates in the town of Edenton from the duties of supervisors of roads. Indefinitely postponed.

To prohibit the shooting of wild fowl on the coast of North Carolina on Sunday. Withdrawn for further modification.

To prevent fraud in weighing cotton. Mr. McCotter spoke at length in favor of the passage of the bill.

Mr. Holt did not think that the bill would supply a remedy for the alleged evil.

Mr. Green, of Franklin, did not think this bill ought to pass. On motion the bill was referred.

On motion of Mr. Williams, of Granville, the rules were suspended and the bill authorizing the commissioners of Granville county to fund its debt, passed its second reading.

On motion of Mr. Holt the rules were suspended, and the bill incorporating the Brown Mountain Mining and Manufacturing Company passed its third reading.

SPECIAL ORDER.

The hour for the special order having arrived, the special order for this hour was taken up and informally passed over.

CALENDAR. (resumed.)

To work the public roads by taxation, tabled by the same vote as the previous bill on this subject. Ayes 75; nays 34.

The vote to table was reconsidered and that motion tabled.

To relieve Carteret county from the provisions of sections 6 and 7 of ch. 118 of Bat. Rev., third reading.

To compel the Carolina Central Railroad to keep lights on their bridge over the Cape Fear river above Wilmington. The substitute of the committee was adopted and the bill as amended by the substitute passed its third reading.

Relative to the stock law. Tabled.

To prevent the erection of artificial islands in the navigable waters of this State. Referred.

Concerning the Supreme Court Reporter. Passed its third reading.

To ascertain the dividing line between Carteret and Craven counties. Passed its third reading.

To authorize the commissioners of Carteret county to pay certain school orders. Passed its third reading.

To prevent the stationing of portable steam engines near the public highway was referred, after being discussed by Messrs. Stringfield, McCotter, Bassett, Harris, of Wake, Robbins and others.

To require fishermen to remove their net stakes, passed its third reading.

To repeal the act making the Tuckaseegee river a lawful fence, passed its third reading.

To amend chapter 34, laws of 1880, passed its third reading.

Resolution empowering the Governor to

pay Alonzo Huntly \$200 for the arrest of Joe Ross, passed its third reading.

To amend sec. 1, chapter 308, laws of 1881. Tabled.

To amend chapter 173, laws of 1881, relating to turnpike companies. Tabled.

To extend the time of getting out grants for land, passed its third reading.

To amend chapter 63, section 63, of Battle's Revisal. After being amended by the substitute of the committee, passed its third reading.

To ascertain the dividing line between Harnett and Johnston counties, passed its third reading.

To make justices of the peace intelligible to the office of county commissioner. Informally passed over.

To amend chapter 141, laws 1876-77. Referred.

Resolution asking Congress to change the election law. On motion it was made the special order for to-morrow at 11 o'clock.

Leave of absence was granted to Messrs. Stokes, Poe, Hayes of Robeson, and Standford.

MESSAGES.

A message was received from the Senate informing the House that the Senate had passed the following bills and resolutions:

To amend chapter 62, laws of 1873-74, prohibiting the sale of cotton during certain hours.

To amend chapter 31, laws of 1873-74.

To provide for the registration of bonds, etc.

Resolution asking Congress for an appropriation to make navigable certain rivers.

To amend chapter 234, laws of 1881.

To amend chapter 3, laws of 1876-77.

A resolution fixing the hour of adjournment at 2 o'clock p. m., unless the business was sooner disposed of, was introduced by Mr. Glenn, put on its passage and adopted.

On motion of Mr. Bailey, of Mecklenburg, the vote by which the resolution passed was reconsidered, and that motion laid upon the table.

The House, on motion, adjourned.

SENATE.

TENTH DAY.

SATURDAY, January 13, 1883.

President Robinson called the Senate to order at 11 o'clock.

Prayer was offered by Rev. Dr. Marshall, Rector of Christ church, Episcopal.

PETITIONS.

Mr. Linney, petition of citizens of Alexander county to change the minimum price for keeping prisoners in jail, asking a higher price than twenty-five cents.

REPORTS OF COMMITTEES.

Reports from the following committees were read:

Finance. by Mr. Linney.

Propositions and Grievances, by Messrs. Battle and Womack.

Internal Improvement, by Mr. Pool.

Salaries and Fees, by Messrs. Black, Berry, Woodhouse and Gray.

Engrossed Bills, by Mr. King, of Cherokee.

BILLS AND RESOLUTIONS INTRODUCED.

Mr. Dortch, a bill to incorporate the insane asylums of North Carolina.

Mr. Pemberton, bill to require the Attorney General of the State to appear for and defend citizens of this State who are indicted in the United States Courts for violations of election laws when solicited so to do by such citizens.

Mr. Clark, bill to protect fish in the Neuse and Trent Rivers. Referred to committee on fish interest.

Mr. Hampton, bill to amend chapter 200, laws of 1881, in regard to the public school law. Referred to the committee on education.

Mr. Webb, bill to amend section 3, chapter 216, laws of 1876-77, in regard to judicial sales.

Mr. Watson, bill to authorize the sale of the State's stock in the Cape Fear and Yadkin Valley Railroad. Referred to the committee on internal improvements.

Mr. Costner, bill to amend chapter 300, laws of 1881.

Mr. Webb, bill to authorize B. F. Logan, ex-sheriff of Cleveland county to collect arrears or taxes.

Mr. Black, bill to allow solicitors of superior courts half fees in cases where a nolle prosequi is entered. Referred to committee on salaries and fees.

Mr. Clark, bill to fix the time of punishment, according to value of property stolen, in cases of larceny. Referred to judiciary.

Mr. Scott, of Rockingham, resolution suggesting the propriety of taking the discretion of granting license for the sale of liquor from the county commissioners.

Mr. Watson, bill to better protect landlords. Referred to judiciary committee.

Mr. Womack, bill to designate a place for canvassing the vote for Senator in the Twenty-second Senatorial district. Referred to committee on privileges and elections.

MESSAGES.

A message was received from the House announcing the passage of the following bills and asking the Senate to concur in the same:

Bill to amend chapter 63, section 63, of Battle's revision.

Bill to ascertain and establish the dividing line between the counties of Carteret and Craven.

Bill concerning the reporter of the Supreme Court.

Bill to authorize the treasurer of Carteret county to pay certain school orders.

Bill to repeal an act making Tuckasegee River, in Jackson county, a lawful fence.

Bill to repeal chapter 147, laws of 1881, and to regulate pilotage.

Bill to require fishermen to pull up and remove their net stakes.

Bill for the protection of sheep and other domestic animals in Yancey county.

Bill to amend section 3, chapter 84, laws of 1879.

Bill to incorporate Newton cotton mills, in Catawba county.

Bill to ascertain and establish the dividing line between Johnston and Harnett counties.

Resolution authorizing the Governor to Alonzo Huntley \$200, offered for the arrest of Joe Ross.

A message was also received announcing the appointment of certain members to constitute the House branch of joint committees, as follows:

Enrolled bills, Messrs. Thompson, Beall, Riggs, Bailey, of Wilson, and Bullock.

Railroad Commission, Messrs. Tate, Williams, of Granville; Turner, Simmons, Harris, of Davidson; House, Page and Bryan.

CALENDAR.

Bill to amend section 1, chapter 234 of the laws of 1881. Passed several readings and was ordered enrolled.

Resolution concerning the pay of employees of the General Assembly. Passed and ordered enrolled.

Bill to extend the time for the redemption of lands sold for taxes.

Bill to amend chapter 116, laws of 1881. Passed and ordered engrossed.

Bill to repeal section 1, chapter 147, laws of 1881. Upon motion of Mr. Caho was tabled.

Bill to incorporate the Loftin Silver Lead Mining Company passed its second reading.

Bill to incorporate the Bright-Light Gold Mining Company passed its second reading.

Bill to amend section 8, chapter 7, of Battle's Revision, was recommitted to the judiciary committee.

Bill to repeal the local prohibitory laws of the town of Hendersonville, in Henderson county, passed and ordered to be engrossed.

Bill making dogs the subject of larceny, after being discussed by Messrs. Ebbs, the introducer, Clark, Morehead, Watson, Pemberton, Scott of Rockingham, and Womack, was recommitted to the judiciary committee.

Leave of absence was granted Messrs. Bolter, Strayhorn, Womack and Boykin.

Upon motion of Mr. Pemberton, the Senate adjourned until Monday, at 11 o'clock.

HOUSE OF REPRESENTATIVES.

The House was called to order by Speaker Rose at 10 o'clock.

Prayer by Rev. Dr. M. M. Marshall, rector of Christ Church.

Reading of the journal of yesterday was dispensed with, and it stood approved.

REPORTS OF COMMITTEES.

Judiciary—Reports were made by Messrs. Bailey of Mecklenburg, Forbis, Bullock, Simmons, McLoud, Overman, Philips, Strudwick and Green of Franklin.

Propositions and Grievances—Messrs. Anderson, Riggs, Baum, Posey and Bailey of Wilson.

Corporations—Mr. Hardy made the report from this committee.

Engrossed Bills—Report by Mr. Gatling. Roads, Railroads, Postroads and Turnpikes—Mr. Ray made the report for this committee.

RESOLUTIONS.

Mr. Williams of Columbus, resolution to exempt \$50 worth of farming and mechanical tools from taxation.

BILLS.

The following bills were introduced and passed their first reading and were appropriately referred:

By Mr. Belcher, to amend the landlord and tenant act.

By Mr. Reid, of Person, to better regulate the sale of intoxicating liquors.

By Mr. Riggs, to extend the time for paying taxes in the county of Dare.

By Mr. Ray, to incorporate the Highland Railroad Company.

By Mr. Bridges, to pay school committees for taking school census.

By Mr. Bailey, of Mecklenburg, to exempt certain subjects and occupations from taxation. Bill touching the powers of executors and administrators.

By Mr. Wilcox, a bill relative to the election of county officers by the people.

COMMITTEES.

The Chair announced the following committees:

Redistricting the State—Messrs. Worthington, Leazer, Bunn, Williamson, Bailey of Mecklenburg, Sherrill, Cowell, Wood, Walker, McCurry, Dixon, Wilcox, Temple Robins and Thompson.

Railroad Commission—Messrs. Tate, Williams of Granville, Turner, Simmons, Harris of Davidson, Crouse, Page and Bryan.

Counties, Cities, Towns and Townships—Messrs. Forbis, Williamson, McCurry, Patrick, Turner, Tomlins, Matheson, Reid of Gaston, Walker, Person, Powers of Cumberland, Cheek, Jenkins, Candler, Cain and Belcher.

Enrolled Bills—Messrs. Thompson, Beal, Riggs, Bailey of Wilson and Bullock.

CALENDAR.

The following bills and resolutions were taken up and disposed of as follows:

Resolution instructing our members in Congress to have an act passed distributing the surplus funds in the United States treasury among the States for educational purposes.

Mr. Powers, of Cumberland, called for the yeas and nays and the call was sustained.

Mr. Bailey, of Mecklenburg, said that no one would go further than himself in any proper effort to increase our school fund, but the resolution proposed that our Representatives should violate their duty and oath to support the constitution of the United States, as Congress has no more power to distribute national funds to our State public charities than to private charities.

Mr. Powers, of Cumberland, was in favor of the resolution, and preferred to let congress pass upon the constitutionality of appropriating these funds for educational purposes.

Mr. Bledsoe was in favor of the resolution, and stated that there was a precedent for it under the Jackson administration.

Mr. McLoud said that if it was unconstitutional, it would not be the first time that congress had acted unconstitutionally, and he was in favor of encouraging such unconstitutional action on their part, if it was unconstitutional.

Mr. Green, of New Hanover, was in favor of the resolution, but thought it ought to be amended.

Mr. Robbins moved to refer to the judiciary committee, which failed to prevail.

Mr. Bower said he should vote against the resolution because there had already been passed a resolution asking that the internal revenue system be abolished, and to ask for the money received from that source looked like inconsistency. And that he believed the resolution was clearly unconstitutional.

Mr. Overman said the resolution only referred to the surplus already in the treasury.

Mr. Lenoir was opposed to the resolution because it tended to the centralization of power and to put the public schools under the protection of the Federal government.

Mr. Sutton said that what the people wanted was money for education, and he did not care from what source it came.

Mr. Strudwick moved to amend so that nothing in the resolution should be construed to favor the retention of the internal revenue and tariff, which was accepted.

Mr. Green, of Franklin, said that this was a serious question, and ought to be considered carefully; that the excess of money in the treasury over and above the amount necessary to run the government came there by robbery from the people, and that

some disposition ought to be made of it. He moved to refer, but afterwards withdrew his motion.

Mr. Mann moved to amend by adding, "To be paid to the States, and by them distributed," which was accepted.

Mr. Bailey, of Mecklenburg, offered the following preamble as an amendment:

"Whereas, the surplus in the treasury has been wrung from our people by oppression and wrong,"

Mr. Poe could not support the resolution with any such amendment as that, because it was not becoming to say where the money came from in this resolution and hoped the amendment would be withdrawn.

Mr. Bryan moved to amend Mr. Bailey's amendment by adding "by the Democratic party by the act of secession and rebellion."

Messrs. McCloud and Green, of New Hanover, both hoped that both of the amendments would be withdrawn.

Mr. Wilcox stated that he introduced the bill without any partisan spirit, and he was sorry to see that a party spirit was being exhibited, and he hoped the gentlemen would both withdraw these amendments.

Mr. Bryan said that he had no feeling in the matter, and that he introduced the amendment merely to give his expression to the country as to how the internal revenue came to be in existence, and to finish the amendment of Mr. Bryan, when it did not go far enough.

Mr. Bryan's amendment was lost.

Mr. Bailey withdrew his amendment, (for the purpose of having the whole matter re-committed, but the House refused to re-commit.)

Mr. Harris, of Wake, said he had read the resolution, and did not see why every one could not vote for it, as it was what both sides had pledged themselves to do.

Mr. Wilcox moved the previous question which cut off all debate.

Upon a vote being had the resolution passed its second reading by a vote of 98 to 8, Messrs. Bailey, of Mecklenburg, Barrett, Bower, Brown, Lenoir, Marsh, Tomlins, and Williams, of Sampson, voting in the negative.

The following gentlemen explained their votes, Messrs. Bailey, of Mecklenburg, Barrett and Lenoir.

And the following were absent or not voting: Messrs. Cowell, Dixon, Fulton, Harrison, Hayes of Robeson, Holton, Page, Peebles, Sandifer, Speller, Stanford, Stokes, and Wood.

PROTEST.

The following protest was entered by Mr. Bailey, of Mecklenburg:

I respectfully enter my protest against the resolution just passed, on the ground only that it contemplates an act of Congress in violation of the constitution of the United States.

W. H. BAILEY.

On motion of Mr. Ray, the rules were suspended and the act to incorporate the Highland Railroad Company was taken up and passed its third reading.

On motion of Mr. Bailey, of Wilson, the same course was taken an act for the relief of the sureties on the bond of K. H. Winstead, late sheriff of Wilson county, passed its third reading.

An act to authorize the commissioners of Granville county to levy a special tax. Passed its third reading.

On motion of Mr. Holt, the act repealing the act incorporating the town of Mebaneville passed its several readings under a suspension of the rules.

An act to amend section 1, chapter 115, laws 1881. Tabled.

To amend section 1, chapter 288, laws 1881. Recommended.

SPECIAL ORDER.

The special order for this hour (12 o'clock) was, on motion, passed over informally.

CALENDAR (resumed).

To amend chapter 200, section 41, laws 1881. Passed its third reading.

Substitute for an act to abolish the office of county treasurer. Passed third reading.

To provide for the time of the removal of a cause before a justice of the peace, Passed third reading.

Relative to the removal of causes in court. Passed third reading.

To amend chapter 173, laws of 1881. Passed third reading.

To protect fish in Lumber River. Recommended.

To prevent the obstructing of highways. Tabled.

To amend the salary and fee bill. Passed third reading.

To amend sections 38-39, chapter 104, of Battle's Revisal. Tabled.

Requiring county commissioners to hold public meetings. Tabled.

Relating to fees on chattel mortgages. Tabled.

To pay registrars and judges of election. Passed third reading.

To establish the dividing line between the counties of Northampton and Warren. Passed third reading.

To grant amnesty and pardon to certain persons selling liquor without license. On motion, made the special order for next Wednesday at 11 o'clock a. m.

MESSAGE.

A message was received from the Governor submitting the report of the directors of Western North Carolina Insane Asylum.

LEAVE OF ABSENCE.

Leave was asked for and granted to Messrs. Liles, Holton, Mann, Waddell, Powers, of Cumberland, Rose and Brown until next Tuesday.

The House adjourned.

SENATE.

ELEVENTH DAY.

MONDAY, January 15, 1883.

The Senate was called to order at 11 o'clock, President Robinson in the chair.

PETITIONS.

Mr. Alexander, petition from certain citizens of Berryhill township, in Mecklenburg county, asking for a prohibitory liquor law.

Reports from standing committees were submitted by Messrs. Webb, Pemberton, Loftin and Pinnix from the judiciary committee, Mr. Strayhorn from committee on corporations.

BILLS INTRODUCED.

Mr. Alexander, bill for levying, equalizing and collecting of taxes. Referred to judiciary committee and ordered to be printed.

Mr. Jones, bill to change the time of holding courts in the ninth judicial district. Judiciary committee.

Mr. King, bill to allow the commissioners of Cherokee to levy special tax and to issue bonds.

Mr. Ebbs, bill to protect sheep. Calendar.

CALENDAR.

Bill to give officers whole fees in State cases, to be paid by counties. Put to the end of the calendar, Mr. Scott, of New Hanover, its introducer, not being in his seat.

Bill in relation to tax collectors. Made special order for Wednesday, 12 m.

Bill to protect marble workers and stone cutters. Referred to the judiciary committee.

Bill to incorporate the Centurion Benevolent Society, passed its several readings.

Bill to authorize magistrates to hold inquests in certain cases. Recommitted to the judiciary committee.

Bill to allow the President of the Senate and Speaker of the House of Representatives to administer oaths to their officers.

Bill to prevent the false listing of taxes. Referred to the committee on finance.

House resolutions in regard to instructing our Senators and requesting our Representatives in Congress to repeal the internal revenue laws. On motion to postpone Mr. Linney said:

"I am for the passage of these resolutions without further delay. I notice that it is claimed by a newspaper, the 'Morning Star,' that a great scientist in political economy, David A. Wells, 'says that the internal revenue laws should not be repealed,' and that it is claimed at the capitol that not more than two of the Southern States favor the repeal of these laws. As a North Carolinian, I am exceedingly anxious that the position of North Carolina shall at once be known through these resolutions which speak in no uncertain sound. I ask the indulgence of the Senate for a few moments upon the merits of these resolutions ■

They look to the complete drying up of the entire system. They further send out the only true Democratic ring upon the tariff question, and present the idea not hitherto presented in any set of resolutions, which I especially approve, to-wit, that if we cannot get both tariff reform and the abolition of internal revenue, give us the abolition of internal revenue. The first internal revenue system known in the United States was what is known as that introduced by Mr. Hamilton in 1792. It lasted eleven years and created a rebellion which cost about \$1,500,000 to suppress. Its overthrow contributed more to liberty in the republic than any event of the republic's history. President Jefferson's inaugural was generally received as a statement of perfect theories and principles of government, and it became at once, and remains to this day, a very scripture of Democratic faith. The richest gem of thought in that inaugural is his assault upon the internal revenue system. He said: The present population, combined with other circumstances, justifies the repeal of all internal revenue taxes. War, indeed, and untoward events may change the prospect of things and call for expenses which the imports cannot meet, but sound principles will not justify our taxing the industry of our fellow-citizens to accumulate treasure for wars to happen, we know not when, and which might not happen, but from the temptations offered by the treasure. This system was then overthrown and Jefferson is the only apostle of liberty, recognized as such in the history of the republic.

"A prolific source of mischief is found in the tendencies of the system to corrupt our young men. It sows its seeds in youthful minds just at a season when judgment has not been ripened of experience or imagination corrected wisdom.

"Judge Avery's testimony before the Vance investigation committee recognizes this fact. I rely very greatly upon the testimony of a judge. The constant prosecution of legal enquiries elevates them, and makes them all light and no heat. The recognition of this fact by an eminent judge of the State in whom our people have unlimited confidence alone makes it of peculiar importance and senators should well consider it. Old Patrick Henry said that it is the duty of Christians to forgive, and spoke eloquently of the system of religion which teaches forbearance, but when you add to Christianity patriotism you can not forgive. Forgive wrongs as individuals, but vengeance only remains for injuries to one's country. Yet more young men change opinions now on politics than in any previous period of the Republic's history. The system, we maintain, corrupts them. Let us have our senators and representa-

tives in Congress to arm themselves against this kind of "moral palsy."

Mr. Pemberton said that these resolutions demanded the prompt consideration of the Senate; that in his district the subject was the keynote of the campaign; that his people wanted to get rid of the revenue officials who got more pay per annum, many of them, than they collected taxes; that in the journey of our great "Prince of Peace" a little tax-collector, a publican, was found in a sycamore tree and judged to be a just, righteous man, but now the people say that we have no Zaccheus among these Republicans. The people wanted the internal revenue laws repealed, and that political party in this nation which does it will hold the purse-strings of this government for a long time after 1894. The resolutions were only a repetition of the prayers of the tax-burdened people, and let them be uttered here.

Mr. Payne said it was not his purpose to antagonize the resolutions of instructions, but he favored a preamble of the same character as that embraced in his Senate resolution now pending in the House. That he wanted to arraign the Republican party for its record of oppression and fraud upon the rights of the people of this State in the matter of internal revenue.

Mr. Scott, of Rockingham, then offered a preamble—being the same as the preamble of the resolutions on this subject that passed the Senate on a former day—which was adopted.

Mr. Purnell offered a substitute which was rejected.

Mr. Ramsay offered an amendment in the nature of a substitute that was ruled out of order.

There was much discussion, participated in by Messrs. Morehead, Watson, Scott, of Rockingham, Loftin, Purnell, Ramsay and others.

Mr. Loftin said that he favored the repeal of the internal revenue law, and would vote for the resolutions but not for the preamble.

The resolutions were then adopted, ayes 30, nays 9, Mr. Cozart, Republican, voting with the Democrats.

Bill to amend law in regard to fees of register of deeds, tabled.

Bill to confirm donation of land made by town of Edenton to Norfolk and Elizabeth City railroad Co., passed.

Bill to incorporate the town of German-ton, passed its second reading.

Bill in relation to pilotage, passed.

Bill to amend the charter of the town of Lexington, passed.

Resolution suggesting to the finance committee, tabled.

Bill to repeal law making Tuckasegee river a lawful fence, passed.

[Mr. Black stated to the Senate that Senator Morrison, of Harnett, was detained at

home by sickness in his family; having lost five of his children since the assembling of the Legislature, from diphtheria.]

On motion of Mr. Payne, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, JANUARY 15, 1893.

The House was called to order at 10 o'clock, Mr. Bailey, of Mecklenburg, in the chair.

The journal of Saturday was read and approved.

REPORTS OF COMMITTEES.

Internal Improvements—Reports by Messrs. King and Williams, of Granville.

Corporations—Report by Mr. Williams, of Granville.

Engrossed Bills—Report by Mr. Gatling.

BILLS.

The following bills were introduced, passed their first reading and were appropriately referred:

Mr. Sherrill, to prohibit the sale of intoxicating liquors within one and a half miles of Maiden cotton mills.

Mr. Bailey, of Mecklenburg, to incorporate the town of Fayetteville. To amend chapter 26, section 48, Battle's Revisal.

Mr. Steed, to authorize county finance committees to administer oaths.

Mr. Gudger, to amend an act making the killing of live stock by railroads indictable.

Mr. Strudwick, to define the duties of assignees for the benefit of creditors.

Mr. Person, to repeal an act incorporating the cotton and merchants' exchange of Goldsboro, N. C.

Mr. Poe, to amend section 1, chapter 13, laws of 1890.

Mr. Phillips, to increase the fees of justices of the peace.

Dr. T. T. Sandifer, of Mecklenburg county, came forward, presented his credentials and qualified and was admitted to a seat on the floor of the House.

SPEAKER PRO TEM.

Mr. Pailey, of Mecklenburg, moved to go into the election of speaker pro tem, which was carried.

Mr. Bailey, of Mecklenburg, placed in nomination the name of Mr. D. Worthington.

On a ballot being had the vote was as follows: Worthington, 87; Holt, 4; Bailey, of Mecklenburg, 1; Wilcox, 2, and Gatling, 1.

On motion of Mr. Williamson the election of Mr. Worthington was made unanimous.

Leave of absence was asked for and granted to Messrs. Tate, Beale and Glenn, the two last on account of sickness.

Mr. McAllister introduced by consent the following bill: An act to incorporate the Odell Manufacturing Company.

On motion of Mr. McAllister the rules were suspended and the rule incorporating

the Odell Manufacturing Company passed its several readings.

CALENDAR.

The following bills were taken up and disposed of as follows:

To repeal the act incorporating the Warsaw High School. Passed its third reading.

Relative to the catching of fish in the waters of Lumber River. Passed third reading.

To prevent the felling of timber in Spring Creek. Passed its third reading.

To protect fish in the waters of Henderson county. Passed its third reading.

To repeal the act prohibiting the carrying of concealed weapons. Tabled.

An act relative to official advertising. Re-committed.

To prevent the erection of artificial islands in the navigable waters of the State. Informally passed over.

To require plaintiffs to give bond to secure their own costs. Tabled.

To amend chapter 148 laws of 1879. Tabled.

To amend section 1, chapter 396, laws of 1879. Tabled.

Concerning the service of a summons, passed its third reading.

To authorize county commissioners to pay clerks and judges of election. Informally passed over.

For the protection of artisans and factory operatives. Tabled.

Relating to fishing in Pamlico and Tar rivers, passed its third reading.

To authorize Pasquotank county to levy a special tax, passed its second reading.

To change the fiscal year of the State government, passed its third reading.

On motion of Mr. Barrett, the vote by which the bill relative to fishing in Pamlico and Tar rivers passed its third reading, was reconsidered and the bill placed upon the calendar.

Bill relating to fast riding or driving over Washington, Aurora and Leachville bridges, passed its third reading.

To authorize Judges going out of office to perform certain functions, passed third reading.

To make the top of the Blue Ridge mountains the dividing line between the counties of Alleghany and Wilkes. Passed its third reading.

For the relief of Samuel Hartley. Passed its third reading.

REPORTS OF COMMISSIONS.

A report was received from the commission to examine the accounts of the State Treasurer. On motion of Mr. Page, it was ordered to be printed.

CALENDAR (resumed.)

Senate resolution of instruction to our members of Congress relative to the internal revenue and the tariff.

Mr. Bailey, of Mecklenburg, moved that it be made the special order for to-morrow at 12 o'clock.

Mr. Harris, of Wake, said that a half a day was consumed in the consideration of a resolution of a similar nature, and that he did not see the use in making this one a special order and consuming another half a day on the same subject.

Mr. Bailey withdrew his motion to make it a special order, and moved to informally pass over the resolution, which was adopted.

On motion of Mr. Bailey, of Mecklenburg, the rules were suspended and the following bills were taken up and disposed of as follows:

To incorporate the Charlotte Street Railway Company. Passed its several readings.

To incorporate the Virginia and Carolina and Palmetto railroad.

On motion of Mr. Powers the bill was passed over informally with an order to print.

Leave of absence was asked for and granted to Mr. Thompson.

The House on motion adjourned.

SENATE.

TWELFTH DAY.

TUESDAY, January 16.

The Senate was called to order at 11 o'clock, President Robinson in the chair.

Prayer by Rev. E. A. Yates, of the Methodist church.

The journal was read and approved.

Mr. Black announced that Senator Morrison was present. He was sworn in by Mr. J. A. Temple, Esq., member of the House from Wake, and was conducted to a seat.

PETITIONS.

Mr. Morehead presented a petition from the tobacco manufacturers and other citizens of High Point, asking a repeal of the tax of \$100 now imposed upon the manufacturers of tobacco in this State. Referred to the committee on finance.

Mr. Goodwyn, a petition from citizens of Weldon asking a repeal of the cotton weavers' law. Referred to the committee on propositions and grievances.

Mr. McLean, a petition from citizens of the town of Shoe Heel in regard to their town. Referred to the committee on propositions and grievances.

MESSAGES.

A message was received from the House announcing that the House would at 12 o'clock proceed to the election of United States Senator. A like message was also sent to the House announcing the intention of the Senate to go into an election of Senator at the same hour.

BILLS AND RESOLUTIONS.

Mr. Ebbs introduced a bill in regard to killing cattle by railroads.

Mr. Jones, bill to amend section 13, chapter 90, Battie's Revisal. Referred to the judiciary committee.

Mr. Pinnix, bill in favor of the soldiers of North Carolina who lost limbs and eyes in the Confederate service.

Mr. Goodwyn, bill to change the time of holding Superior Courts in Halifax county.

Mr. McLean, bill to establish a graded school in the town of Lumberton, Robeson county.

Mr. Berry, a bill to regulate the hiring out of convicts. Referred to the committee on penal institutions.

Mr. Scott, of Rockingham, a bill to create a sinking fund for the county of New Hanover.

By the same, a bill for the protection of honest labor. Referred to the committee on propositions and grievances.

Mr. Dortch, a bill relating to the graded schools of Wayne county. Referred to the committee on education.

Mr. Scott, of Rockingham, a bill in regard to the pay of school teachers.

Mr. Watson, a bill for the protection of executors and administrators. Placed upon the calendar.

By the same, a resolution in regard to equalizing and levying taxes.

Mr. Loftin, a bill to repeal chapter 23, laws of 1881. Referred to the committee on propositions and grievances.

By the same, a bill to regulate the fees of sheriffs and others.

Mr. Purnell, a bill to make the February and August terms of Wake Superior Court exclusively for the trial of civil cases.

The President announced that Messrs. Pool, Webb and Strahorn were appointed as Senate branch of joint committee on magistrates. Mr. Pool asked to be excused from serving on that committee and Mr. Whitford was appointed in his place.

ELECTION OF SENATOR.

The President announced that the hour for the election of United States Senator had arrived, and that the Senator elected to-day would go into office on the fourth day of March, 1883, and his term of office would expire on the fourth day of March, 1889.

Messrs. Farmer and Purnell were appointed tellers.

Mr. Pinnix arose and said :

MR. PRESIDENT : I arise to place in nomination for that high position, one of North Carolina's most gifted and illustrious sons—one whose name is a household word in every home in North Carolina, from the sea shore to the mountain-top—one who, combining the logic of a Calhoun with the eloquence of a Astelar, and the courtly bearing of a Bayard, stands to-day in the front ranks of American statesmen, and wields an influence in the councils of the nation second to that of no other Senator.

His ardent love for his native State, and his great devotion to public duty, command the admiration of every true son and daughter of our beloved commonwealth. He possesses in an unusual degree the qualities of the polished gentleman, the brilliant orator, the brave soldier and the profound, sagacious statesman.

In many respects he is to North Carolina what Gambetta was to France. But while France weeps to-day at the tomb of her dead hero, North Carolina rejoices at the elevation of her favorite son. His fame and usefulness are not confined to the limits of his State, but extend to the uttermost confines of this great country.

He has filled the position to which I this day nominate him, for nearly twelve years, with great distinction and satisfaction. He is a fit and worthy successor of the peerless Mangum and of the immortal Badger.

MR. PRESIDENT : I nominate the gentleman, the orator, the soldier, the statesman; Matthew W. Ransom, of Northampton county.

MR. PURNELL said: I rise for the purpose of placing in nomination for the position of United States Senator, Colonel William Johnson, of Mecklenburg county. He needs no eulogy at my hands. He is known to all. A man who has the courage of his own opinions. A higher compliment I could not pay him or any other man.

MR. PAYNE said: It is with great pleasure that I rise to second the nomination of the Hon. M. W. Ransom for the position of United States Senator from the State of North Carolina. Indeed, sir, I can say without any evasion, that in performing this pleasing task, I am moved with feelings of genuine emotion. In what I shall say no disparagement is intended towards anyone, for I undertake here to say that among those who have been mentioned in connection with this position, I recall the names of some of North Carolina's truest and best sons—the names of men whose fidelity to trust have reflected lustre upon the State of their nativity. I can well recall in the history of the South, a time which tried men's souls, a time when Southern patriotism and Southern chivalry attracted the admiration of the world. It was then that Ransom responded to the call of country, and by his conduct upon many a hard fought field exemplified the grand idea that discharge of duty is the sublimest sentiment in the English language. And Senators, you will pardon me for digressing for a moment to say that these words have passed into history as the utterance of the grandest man of modern times—Robert Edmund Lee—who in taking leave of the ragged regiments that composed the remnant of the Army of Northern Virginia, said to that gallant band of heroes in his farewell address, "that duty was the sublimest word in the English

language, and that the South expected each man to do his duty." Noble sentiments of a noble man! It would be painting the lily, adding perfume to the rose, for me to attempt in this presence to speak of the lofty virtues of Robert E. Lee. If, sir, to have lived a life wholly devoted to duty and died the death of an humble Christian, if to have added to the most elevated civic victories, the most renowned military achievements, if to have lived universally honored and died universally regretted, if these constitute any claim to human greatness, then truly may we call Robert E. Lee great. And in the blaze of this century, and in this Senate chamber, may we not say of Lee as has been said of the illustrious Washington "that he too was first in war, first in peace and first in the hearts of his countrymen." Ransom was a faithful soldier of the immortal Lee—animated by such lofty sentiments, he has served his people as faithfully in times of peace as he did in war. Wise and conservative in all his views, in 1870 he was called to the Senate of the United States by the united voice of that party which I trust will some day soon become the dominant party of the United States.

In the Senate he has stood as the break-water, so to speak, between fanaticism on the one hand and blind conservatism on the other.

Devoted to the best interests of the South and to the Democratic party, he has proven a statesman in whom the State and the entire country has reposed the utmost confidence. In 1873, (I think it was) when he made his celebrated speech in the Senate in behalf of the South, when he plead for peace and fraternity, and defended his nation's land from insult and reproach, from Virginia to Texas, from State to State, the name of Matt Ransom became a household word. I am glad, sir, to have this opportunity to say that I feel proud that North Carolina has for her representatives in the Senate of the United States Z. B. Vance and Matt W. Ransom; men who, in every age and every clime, will reflect honor and renown upon this age of civilization. Six years more will Ransom serve the people of North Carolina, should his life be so long spared to the country. I doubt not that discharge of duty will be his aim, and lofty patriotism his guiding star, and when the sere and yellow leaf has come upon him, his declining years will be illumined by the pleasing reflection that North Carolina has given honor to him to whom honor is justly due.

The roll of Senators was called and the following voted for Mr. Ransom:

For Ransom—Messrs. Alexander, Battle, Berry, Black, Boykin, Caho, Costner, Dortch, Dotson, Ebbs, Evans, Farmer, Hampton, Hill, Jones, King of Cherokee, Linney, Lovill, McLean, Morehead, Morris,

son, Neill, Payne, Pemberton, Pinnix, Poole, Richardson, Scott of Rockingham, Toon, Watson, Webb, Whitford and Woodhouse—33.

For Johnson—Messrs. Carter, Clarke, Cozart, Eaves, Goodwyn, Graham, Gray, Purnell, Ramsay, Scott of New Hanover, Speight and Strayhorn—12.

Mr. Loftin stated that he did not vote because he was paired with Mr. Womack. He would have voted for Mr. Johnson, while Mr. Womack would have voted for Mr. Ransom.

Messrs. King, of Pitt, and Lyon were absent, and Mr. Mebane did not vote.

CALENDAR.

Bills from the calendar were taken up and disposed of as follows, Mr. Pinnix in the Chair:

Bill to amend the charter of the town of Lexington, passed its several readings and was ordered to be sent to the House without engrossment.

Bill to confirm the donation of land made by the town of Edenton to the Norfolk and Elizabeth City Railroad Company, passed its final reading and was ordered enrolled.

Bill to incorporate the town of German-ton, Stokes county, passed and was ordered engrossed.

Bill to protect sheep husbandry in the county of Madison, was indefinitely postponed.

Bill in regard to Cherokee lands passed its second reading.

Bill to incorporate the Wilmington Coast Turnpike Company was put upon its second reading.

Mr. Hill. I heard some mention in the reading of the bill of "Whisky Creek." I would like for the Senator from New Hanover to explain as to whether this turnpike is to go to the coast or to arrange a more accessible route for citizens of Wilmington to "Whisky Creek."

Mr. Scott, of New Hanover—I am glad to see that at least one Senator is taking an interest in this matter, and will state that while the turnpike is to run from Wilmington to Masonboro Sound, there is plenty of whisky in the vicinity to serve all practical purposes.

The bill passed and was ordered engrossed.

The bill to prohibit county commissioners from placing the names of school committeemen in the jury box was taken up, and, on motion of Mr. Loftin, was tabled.

The bill to restore to attorneys the fees as they existed prior to 1879, after being discussed by Messrs. Strayhorn and Watson, passed and was ordered engrossed.

By request of Mr. Pemberton the rules were suspended and a bill to perfect the organization of the Odell Manufacturing Company of Concord, was taken up for consideration. He explained that it extended the provisions of the charter so as

to allow the company to increase their capital stock, thus extending and increasing the manufacturing interests of our State—an industry that should be encouraged in every possible way. The bill passed its final reading and was ordered enrolled.

Bill to prescribe the fees of clerks of the Superior Courts for probating and of Registers' of Deeds for recording chattel mortgages, failed to pass on its second reading.

Bill to more effectually punish the attempt of murder by poisoning was referred to the judiciary committee.

Bill to protect sheep from the ravages of wolves in Madison county, passed and was ordered engrossed.

Bill to provide for witnesses before magistrates courts was informally passed over.

The President announced that the calendar was exhausted.

Mr. Dortch moved that Senator Ramsay be added to the committee on Insane Asylums. His motion prevailed.

It was announced that the time of holding the joint Democratic caucus was changed from Thursday night to Wednesday night at 7:30.

It was also announced that Dr. Curry, Superintendent of the Peabody fund, would address the members of the legislature at Tucker Hall, Thursday night.

Mr. Pinnix was given indefinite leave of absence on account of sickness in his family.

Upon motion of Mr. Clarke the Senate adjourned to meet at 11 o'clock to-day.

HOUSE OF REPRESENTATIVES.

TUESDAY, JANUARY 16, 1883.

At 10 o'clock the House was called to order by the speaker pro tem.

Prayer by the Rev. Dr. E. A. Yates, of Edenton street Methodist church.

PETITIONS.

By Mr. Cain, petitions from the citizens of Davie county asking that the stock law be repealed, and for the repeal of a local prohibition law.

By Mr. Holt, petition from citizens of Graham, N. C., asking the repeal of the merchants purchase tax.

REPORTS OF COMMITTEES

Judiciary—Reports by Messrs. Bailey, of Mecklenburg, Robins, Holton, Phillips, Frazier, Cloud, Simmons and Peebles.

Propositions and Grievances—Reports by Messrs. Pruitt, Brown, Eaton, Matheson, and Bailey, of Wilson.

Education—Report by Mr. Green, of Franklin.

Salaries and Fees—Report by Mr. Bailey, of Wilson.

Enrolled Bills—Mr. Riggs made a report for the committee on enrolled bills.

Engrossed Bills—Report by Mr. Gatling.

RESOLUTIONS.

By Mr. Bailey, of Mecklenburg—Resolution to pay J. T. Morris for chairs.

BILLS.

The following bills were introduced, passed their first reading and were appropriately referred:

By Mr. McCurry, to amend chapter 13, laws 1880.

By Mr. Dixon, to amend chapter 260, laws 1876-'77.

By Mr. Person, to amend chapter 274, laws 1876-'77.

By Mr. Hardy, to attach a portion of Craven county to Carteret.

By Mr. Williams, of Granville, to enable the commissioners of Warren county to regulate the amount of sheriffs and treasurers bonds. To protect game birds in Granville county.

By Mr. Hayes, of Robeson, to amend chapter 234, laws 1881.

By Mr. Temple, to amend the school law.

By Mr. Smith, to revise and consolidate the school law.

By Mr. Pittman, to amend the school law.

By Mr. Bailey, of Mecklenburg, to amend chapter 116, laws 1881. To make the killing of live stock by the cars and engines on railroads indictable.

By Mr. Page, to amend chapter 150, laws 1881.

Mr. Rose arose to a question of personal privilege and said:

"I desire to do a thing this morning which I very much dislike, and which I have never been called upon to do in any General Assembly of which I have been a member. I desire to rise to a question of personal privilege. I was necessarily absent from the session of this House yesterday; was absent by permission of the House, as was my Republican colleague, Mr. Powers. I see by the paper this morning that during that absence a bill was introduced affecting my constituency, which was never submitted to me and which I have never seen or heard of before, to-wit, a bill to "incorporate the town of Fayetteville." While this body has elevated me to the high and honorable position of Speaker I have not forfeited my right to represent the people of my county on the floor, and I desire to say that the introduction of a bill in the absence of Cumberland's representatives appears, to say the least, to be an attempt to take snap judgment on my people, though not intended by Mr. Bailey. I understand from the gentleman who introduced the bill that no reflection was intended, and I accept what he says as the fact. The gentleman also says that the person who asked the introduction of the bill wrote him that both of the members from Cumberland were opposed to it. How he can know that I am

not aware, for we have never seen it; but however that may be, I think we are entitled to some recognition, and whether opposed to it or not, either of us would have introduced it if the "promoter" had sent the same to us. If the gentlemen who are pushing this matter will curb their undue haste, they shall be fully and patiently heard and will have an opportunity in a very few days of having the matter fully investigated.

I have said this much in justice to myself and my constituency.

Mr. Powers, of Cumberland, arose to a question of personal privilege and said:

MR. SPEAKER—I was astounded to find that during the absence of my colleague, Mr. Rose, and myself that a bill had been introduced incorporating the town of Fayetteville. After hearing the remarks of Mr. Rose it is not necessary for me to make any extended remarks. Mr. Speaker, there are no politics in our town matters, for the people were almost unanimous for the repeal of the charter; yet we are willing to do anything that is just and honorable in the matter and as my honorable friend Mr. Rose says, a bill will be introduced by him touching upon this to our people, important matter.

Mr. Bailey, of Mecklenburg, rising to a question of personal privilege, stated the bill alluded to by his friend from Cumberland was sent to him by a distinguished gentlemen, stating that the members were opposed to it and he (Mr. B.) therefore concluded that it would be an act of supererogation to offer the same to them. Mr. Bailey stated that the bill also introduced by himself, to require county commissioners to hold their sessions in public, was sent to him by a distinguished citizen of eastern North Carolina, and was intended to correct alleged abuses in that section, and in no wise to reflect upon the board of county commissioners of Mecklenburg; that he was personally cognizant of the fact that they had always held open sessions.

Mr. Holt was excused, to attend a meeting of the committee on Agriculture.

CALENDAR

The calendar was then taken up and the following bills disposed of as follows:

Senate resolution instructing our members in Congress to secure an appropriation to make Lumber river navigable, passed its third reading.

To authorize the commissioners of Pasquotank county to levy a special tax, passed its third reading.

To regulate fishing in Pamlico and Tar rivers, passed over informally.

To prohibit the sale of intoxicating liquors in one mile and a half of Maiden Cotton Mills, passed its third reading.

Substitute to an act to prevent the erection of artificial islands in the navigable wa-

ters of the State, passed its third reading.

To authorize county commissioners to pay judges and clerks of election. Tabled.

MESSAGES.

A message was received from the Governor relative to the treatment of convicts, &c.

Mr. Robins moved that it be transmitted to the Senate with a proposition to print, and it was so ordered.

On motion of Mr. Tate, a message was ordered to be sent to the Senate proposing to go into the election of United States Senator at 12 o'clock.

Mr. Strudwick made a report from the judiciary committee on a bill relative to the killing of live stock by railroads.

Mr. Bailey, of Mecklenburg, submitted a minority report on the same bill.

On motion of Mr. Stringfield it was made the special order for Thursday at 12 o'clock.

On motion of Mr. Bailey, of Mecklenburg, the rules were suspended and a resolution to pay J. T. Morris \$30 for chairs furnished, was taken up.

On motion of Mr. Hays, of Robeson, the resolution was placed on the calendar.

Mr. Green, of Franklin, introduced a resolution relative to the General Assembly attending Dr. Currie's lecture in a body, and asked that it be taken up under a suspension of the rules, which was done.

On motion of Mr. Overman, it was laid upon the table.

On motion of Mr. Stanford, the vote by which the resolution of Mr. Green was laid upon the table was reconsidered and the resolution was then adopted.

On motion of Mr. Overman, the House took a recess until 11.55 o'clock.

At a quarter to 12 m., Speaker Rose called the House to order and the House proceeded with business.

MESSAGES.

A message was received from the Senate informing the House that the Senate had passed the following bills and resolutions:

To incorporate the Centurion Benevolent Society.

To authorize the President of the Senate and Speaker of the House to administer oaths.

An act relating to attorneys at law.

Resolution to raise a joint committee on fish interest.

SPECIAL ORDER.

Twelve o'clock being the hour for the special order, the election of United States Senator, the Speaker announced that nominations were in order.

Mr. Worthington said:

"I rise for the purpose of placing in nomination before the House of Representatives the name of Hon. Matt W. Ransom for the Senate of the United States; his term of office to begin from and after the 4th day of March next. I speak in the in-

terests of a gentleman in whose capacity and experience has been illustrated a remarkable fitness for this exalted position; and whose fidelity to the people, whose devotion to duty, whose consummate statesmanship, and whose expansive yet delicate powers of oratory, justly mark his pre-eminence among North Carolinians. His loyalty to his State has been shown by no mere superficial tests. Upon the march, in the camp, and in battle: in every situation where the purest type of manhood could be exhibited: in victory and in defeat, in action and in repose, from Manassas to Appomattox, this illustrious Carolinian, incomparable in chivalry, has reflected every virtue that could adorn humanity. It may be truthfully said of him as it was once said of Bayard, that his life seems consecrated to an unfaltering devotion to duty; and I believe, sir, that that broad conservatism that is indicated in all that he does, is inspired by a desire to advance from one gradation to another, the material interests of North Carolina, until there shall be no higher plane that North Carolina can occupy.

"The great popular heart whose pulse-beats have been invigorated, I might have said revitalized by his unselfish and eminent services, would be senseless and unloving and even treacherous, if it failed to recognize him as a favorite. In his magnanimity he has attempted to heal the gaping wounds of war, and that without a solitary concession or the compromise of principle; but with something of that spirit that might have animated the Roman commander as he stood over the ruins of an empire, torn asunder by intestine war, he stood ready to grasp hands with an enemy over a re-united nation.

His arguments in the United States Senate have been substantially so many propositions for peace; but he has sought it under no specious disguises; he would scorn to accept peace from a mailed hand; he would entertain no treaties if the terms of acceptance implied or expressed an abandonment of right. The man who followed the illusive fortunes of the Confederacy, until they sank at last in eternal night at Appomattox; the man whose incisive eloquence first penetrated the veil of reconstruction and tore it from top to bottom, so that the sunlight of liberty might again be diffused from mountain to sea, would not have bartered away the virtue or the integrity, or the sovereignty of the people to have secured peace. I believe, sir, that in the nomination of this distinguished gentleman, who, under Providence, has labored so assiduously to dissipate the shadows; to bring light and constitutional liberty out of chaos and despotism, and to secure to North Carolina the blessings she bountifully enjoys, we feel a peculiar gratification; and

that the sentiments I have so feebly spoken have already been voiced from Cherokee to Currituck. Mr. Speaker, I cannot say more without its being obnoxious to the charge of repetition. I could not say less without obvious disparagement. It is with this General Assembly to re-elect him to the Senate of the United States, and thereby to forge a perpetual bond of union between North Carolina and Ransom, the fame and grandeur of the one to be subserved by the love and loyalty of the other."

Mr. McAllister said: "It affords me great pleasure, sir, to have the privilege to second the nomination made by the gentleman on my right, coming as I do from that humble class of our population whose voice is seldom heard in the councils of State or country; that class to which we are all indebted for the positions we occupy on this floor, commonly designated as the horey-handed farmer and hard-fisted mechanic; I feel, sir, that I but reiterate their sentiments, together with those of the whole people of North Carolina, when I second the nomination of the Hon. M. W. Ransom for United States Senator from North Carolina. The question might be asked, sir, is he, or has he been true to the country. I refer to his course and conduct for the last twelve years. Is he or has he been true to his section? His battle-scarred body in my opinion bears ample testimony to that fact. In war he met the enemy with naked sword, ever ready to strike a blow in defence of the land of his birth. In peace he meets them on fraternal grounds, extending to them the olive branch of peace without the sacrifice of pride or of principle. In legislating for his country he has known no East, no West, no North, no South. In all local matters affecting his section he has manifested an unflinching devotion to his native State and her people. I believe, sir, that he will faithfully represent the whole people of this great country, without regard to party, race or color. I hope, therefore, Mr. Speaker, that this General Assembly will give Gen. Ransom their unanimous support, for in my opinion, we cannot in any other way better serve the people whom we represent. Gen. Ransom has honored the State, and now let the State honor him."

Mr. Wilcox put in nomination the name of Col. William Johnston and stated that Col. Johnston was too well known to make it necessary for him to eulogize him.

Mr. Harris, of Wake, said:

MR. SPEAKER: I rise to second the nomination of the Honorable William Johnson, but I will not consume the time of the House in attempting to eulogize that distinguished gentleman. His nomination for the high position of United States Senator is a graceful tribute to his worth as a man and as a citizen of this State, whose people

know him too well to require any thing of the kind at my hands.

Mr. Johnson is one of the many who believe that ever since the war we have had too much party and too little statesmanship; too much passion and prejudice diffused among the people, and too little effort to bring them to a calm, reasonable and logical view of the situation. Being, as he is, a gentleman of the highest standing, wherever he is known, his alliance with the Liberal movement in North Carolina cannot fail to bring thousands of good and true men to our ranks.

Sir, he is not only a Liberal in sentiment, but he has the independence and manhood to stand by and defend the principles of Liberalism in this State, which principles will, and must, ultimately prevail. The rank and file of the people of North Carolina are traditionally liberal. Col. Johnson, sir, believes that after the expiration of eighteen years since the war, that passion should cease to control, and that reason should resume her throne and so direct the affairs of State as to promote the material interests of all the people. He wishes to lift our State out of the old ruts and put her upon the high plane of peace and prosperity, and to establish a fraternal feeling which should exist throughout the length and breadth of North Carolina and among all true North Carolinians.

As a Senator of North Carolina in the United States Senate, he would reflect credit upon his State. Then let us honor ourselves by electing him to that position; and I do hope that this House will do it.

The Chair appointed Messrs. Worthington and Wilcox as tellers.

On motion of Mr. Peebles a message was sent to the Senate informing that body that the House was ready to proceed with the election of United States Senator and that the names of General Ransom, of North Carolina, and Colonel Johnson of Mecklenburg, were in nomination.

The House then proceeded to ballot. The vote was as follows:

The House then proceeded to ballot as follows:

For Mr. Ransom—Mr. Speaker, Messrs. Abbott, Anderson, Bailey, of Mecklenburg, Bailey, of Wilson, Barrett, Baum, Beale, Bennett, Bower, Brown, Bunn, Byrd, Cain, Candler, Crouse, Cowell, Forbis, Frazier, Fulton, Gatling, Green, of Franklin, Gudger, Hardy, Harris, of Davidson, Hayes, of Swain, Holt, Houston, Johnson, of Johnston, King, Landreth, Lawrence, Leazar, Lenoir, Liles, McAllister, McCotter, McCurry, McLeod, Marsh, Matheson, Mathis, Myers, Overman, Patrick, Peebles, Person, Phillips, Posey, Powers, of Cleveland, Ray, Reid, of Gaston, Reade, of Person, Reynolds, Riggs, Robins, Sandifer, Sherrill, Simmons, Smith, Stanford, Steed,

Stewart, Stringfield, Strudwick, Tate, Tomlinson, Turner, Walker, Williams, of Granville, Williams, of Sampson, Williamson, Wilson, Wood, Worthington—75.

Mr. Johnston—Messrs. Baker, Belcher, Bledsoe, Bradley, Bridgers, Bruce, Bryan, Bullock, Covington, Cheek, Eaton, Grissett, Hamilton, Harris, of Wake, Hayes, of Robeson, Henderson, Hewlin, Jenkins, Johnson, of Craven, Leary, Lineback, Mitchell, Montgomery, Newby, Newell, Nixon, Page, Pitman, Poe, Powers, of Cumberland, Proctor, Pruitt, Sutton, Temple, Wilcox—35.

Mr. Holton, Republican, was paired with Dr. Thompson, absent. Messrs. Speller and Green, of New Hanover, were excused from voting. Messrs. Ball, Dixon, Harrison, Waddell and Stokes, Republicans, and Glenn, Democrat, were absent.

During the ballot for United States Senator, the following gentleman explained their votes as follows:

Mr. Frazier said that he was a life-long Republican, and represented Republicans, who never follow a doubtful leader, therefore he voted for M. W. Ransom.

Mr. Sutton said that because our people are oppressed with the present system of county government, and because he believed that Col. Johnston would be a kind of Moses to lead the people from that system, he should vote for him.

Mr. Standford said that he arose to say that in giving this his third vote for Ransom for United States Senator, he performed one of the most pleasant acts of his life, and that six years hence he hoped to have the pleasure of voting for him again.

Mr. Page said:

Mr. Pagesaid: "My heart swells with pride at the mention of the name of the great Ransom, and I arise to do him honor. I have watched his career in the United States Senate and it gives me pleasure to bear testimony to his great deeds for the people of North Carolina. His gallant bearing, his manly courage, his strenuous efforts in behalf of the peace, the welfare of our State are well known to me and the people that I have the honor to represent on this floor. We know, sir, that no man has or could have done more for us than he has done. We, especially of the seaboard counties, see around us daily the fruits of his exertions in our behalf. I, sir, would be the last one on this floor to detract from his great name, or pluck one laurel from the immortal wreath that encircles his brow. This, sir, is true, and the language of my heart. But, sir, there are other, and what I deem higher considerations, than those of mere sentiment, that intervene to dictate my action on this occasion. Loyalty to my party whose principles are nearer to my heart, and under which our beloved country is destined to reach its highest

destiny, bids me, with no uncertain voice, to subordinate my feelings to a high sense of duty, and to cast my vote for Col. William Johnson, who has been selected as the exponent of these principles and the standard-bearer of my party.

On motion, Messrs. Speller and Green, of New Hanover, were excused from voting.

Mr. Simmons introduced a resolution instructing our members in Congress not to vote to confirm any treaty with the Sandwich Islands, and asked that the rules be suspended and the resolution put on its passage, which was done.

Mr. Simmons spoke at length in favor of the resolution.

The resolution was on motion made the special order for to-morrow at 11 o'clock.

The House on motion adjourned.

SENATE.

THIRTEENTH DAY.

WEDNESDAY, January 17, 1881.

Senate called to order at 11 o'clock, President J. L. Robinson in the chair.

Prayer by Rev. Dr. Skinner, pastor of Salisbury Street Baptist Church, of this city:

Journal of yesterday read and approved.

PETITIONS.

Mr. Webb presented a petition from the citizens of Rutherford county, asking a stock law in that county.

By the same, a petition from citizens of Cleveland county, asking that Matheson Springs Methodist Church be incorporated.

Mr. Scott, of New Hanover, petition of citizens of Wilmington and New Hanover county, requesting that the justices of the peace of New Hanover county be not allowed to deputize officers.

Mr. McLean, petition of citizens of Robeson county concerning Bethesda church in said county.

Mr. Loftin, petition of R. W. King, asking for a stock law on the south side of Neuse river, in Lenoir county.

BILLS AND RESOLUTIONS.

Bills were introduced as follows:

Mr. Linney, a bill to prevent the wrongful moving of fences. Referred to the committee on propositions and grievances.

Mr. Cozart, a bill in regard to jurors.

Mr. Boykin, a bill to divide the State into nine Congressional districts. Referred to the committee on redistricting the State.

Mr. Caho, a bill in regard to the public lands of Pamlico county.

Mr. Pool, a bill to provide for the erection of a residence for the Governor and rooms for the Supreme Court. Referred to the committee on public grounds.

Mr. Black, a bill relating to the law of attachments. Referred to the judiciary committee.

Mr. Lyon, a bill to incorporate the North

Carolina Life and Fire Insurance Company. Referred to the committee on insurance.

CALENDAR.

Upon motion of Mr. Strayhorn, the bill in regard to paying officers and witnesses when defendants are not convicted was re-committed to the judiciary committee.

The bill to incorporate the Loftin Silver Lead Mining Company passed and was ordered engrossed.

The bill to incorporate the Bright Light Mining Company passed and was ordered engrossed.

The bill in regard to Cherokee lands was amended, passed, and was ordered engrossed.

CANVASSING THE VOTES.

At 12 o'clock sharp the President announced that the Senate would go to the House of Representatives in a body, where the result of the vote for United States Senator would be announced.

The General Assembly being announced as in joint session, the President of the Senate instructed the Secretary to read that part of the proceedings of Tuesday relative to the election of United States Senator, which being done, the Speaker instructed the Chief Clerk to read that part of the proceedings of the House of Representatives of Tuesday relating to the same subject. The result, as stated by the two clerks, was: for Hon. M. W. Ransom, in the Senate, 33 votes; in the House, 74 votes, making a total of 107 votes. For Colonel William Johnson, in the Senate, 12 votes, in the House 35 votes, making a total of 47 votes. The Speaker said inasmuch as Hon. M. W. Ransom received a majority of votes as cast, according to the laws of the State of North Carolina he was declared elected to the office of United States Senator for the term beginning March 4, 1883, and ending March 4, 1889.

CALENDAR RESUMED.

The Senators returned to their seats in the Senate Chamber and work on the calendar was resumed, Mr. Dortch in the chair.

Bill for the better protection of sheep husbandry in North Carolina was put upon its second reading and provoked considerable discussion.

Mr. Scott, of New Hanover—This bill, introduced by myself, provides for the levying and collection of a special tax of \$2.00 on every dog in the State, and if passed will greatly tend to the protection of sheep husbandry in the State, as there are so many dogs sheep husbandry cannot prosper. In my county one man lost twenty-seven sheep by dogs in one night not long since. Put a tax upon the dogs and then a collar and tag about their necks to show that the tax is paid.

Mr. Morehead—Speaking of all the dogs

of the State wearing collars and tags reminds me of an old gentleman who lived west of me. He had become tired of the turmoils and misfortunes of this life, so one evening he quietly took the blind bridle from his old mare and adjusted it about his neck, and about the time he was ready to swing off from a joist in the barn some of his friends detected his suicidal intentions and prevented him from doing further injury to himself. He complained very much that he was disturbed and said that in a few minutes he would have been in the happy land. His friend replied: "Yes, you would have been a pretty looking thing waltzing up and down the streets of the New Jerusalem 'wearing a blind bridle.'"

Mr. Costner sent forward an amendment making the tax 50 cents on every dog, instead of \$2.00.

Mr. Battle: I am surprised that the Senator from Lincoln, coming as he does from the 'possum and 'simmon region, should depreciate the value of dogs to such an extent as to wish the tax so low.

Mr. Costner: It is true there are 'possums in my section, and it is also true that there are a great many sheep there which I wish to have protected against dogs. The reason I suggest this amendment is because I see no chance of passing a bill which provides a tax of \$2.00, and make this amendment knowing that it is a very reasonable tax and think it should pass.

Mr. Clarke—There are a great many 'possums in my section and for this very reason I do not want dogs taxed. Many of the colored people make their Christmas money by catching 'possums and they are not able to pay these taxes.

Mr. Jones—What per cent of the dogs in your section are classed as good dogs?

Mr. Clarke—About one-third.

Mr. Morehead sent forward an amendment making dogs the subject of larceny the same as other property.

Mr. Alexander stated that there was a law already in force against sheep-killing dogs.

Mr. Clarke moved to table the whole matter and called for the ayes and nays. The vote stood 22 to table, 17 against it.

Bill providing that witnesses before magistrates' courts shall receive \$1.00 per day, both in criminal and civil actions, was placed upon its second reading.

Mr. Watson moved to amend by making the amount 50 cents, instead of \$1.00.

Messrs. Payne, Hill, Richardson, and Webb favored the bill with the proposed amendment.

Mr. Scott, of New Hanover, opposed it.

Mr. Linney said that Lord Bacon informs us that such action would be an innovation, which should remind us that we should drive slowly when we become innovators, and that the bill ought not to pass.

Mr. Black wanted the bill so amended as to allow only one witness to every material fact.

Upon motion of Mr. Pemberton the whole matter was referred to the judiciary committee.

Bill to amend section 354, code of civil procedure, was put upon its second reading.

Mr. Berry, the introducer, said that the bill provided for an extension of time allowed for judgments to be regarded as a lien from ten to twenty years, in his senatorial district. He said the people of his section wanted this and trusted that the Senators would pass the bill.

Mr. Pemberton said the reason that the Senate should not pass this bill was because it changed the effect of a judgment in Burke, McDowell, Yancey and Caldwell counties, and it might revive the liens on land created by judgment already barred by the statute in these counties.

Mr. Boykin, thought it might be detrimental to other sections and opposed the bill. He moved to table.

Mr. Berry called for the yeas and nays. The bill was tabled—yeas 24, nays 13.

The bill to protect the agricultural interest of the State was tabled.

The bill to exempt farming implements and mechanical tools from taxation was referred to the finance committee.

The bill in regard to levying and collecting taxes passed and was ordered engrossed.

The bill amending chapter 116, laws of 1881, passed and was ordered enrolled.

The bill authorizing the ex-sheriff of Cleveland to collect arrears of taxes passed and was ordered engrossed.

The bill for the protection of sheep husbandry in Yancey county passed and was ordered engrossed.

Leave of absence was granted Messrs. Clarke and Woodhouse.

At 3 o'clock the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 17, 1883.

The House was called to order at 10 o'clock. Speaker Rose in the chair.

Prayer by the Rev. Dr. Skinner, of the First Baptist Church.

The journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Judiciary—Reports were made by Messrs. Forbis, McLoud, Bunn, Bullock, Holton and Frazier.

Propositions and Grievances—Reports were made by Mr. Anderson.

Finance—Report was made by Mr. Tate.

Engrossed bills—Report was made by Mr. Gatling.

PETITIONS.

By Mr. Strudwick, a petition from citi-

zens of Durham to repeal manufacturers' tax.

BILLS.

The following bills were introduced and passed their first reading, and were appropriately referred:

Mr. Forbis, to amend chapter 200, section 24, laws 1881.

Mr. Reid, of Gaston, to incorporate Philadelphia Presbyterian church, colored, in Gaston county.

Mr. Proctor, to repeal so much of the act prohibiting the sale of liquors as refers to Bethany Presbyterian and Sandy Grove churches.

Mr. Holt, to amend chapter 108, private laws of 1858-'59.

Mr. Standford, for the relief of Bland Wallace, former sheriff of Duplin county.

Mr. Powers, of Cumberland, to enable the people of Cumberland county to establish a free bridge across the Cape Fear river.

Mr. McAllister, to restore the record of burnt and lost wills in Cabarrus county.

Mr. Page, to incorporate the town of Trenton.

Mr. Bailey, of Mecklenburg, to establish twelve judicial districts. To regulate transcripts on appeal.

Mr. Poe, to amend the mechanics lien law.

CALENDAR.

The calendar was then taken up and the following bills were disposed of:

To amend section 1, chapter 13, laws 1880. Recommended.

Substitute for an act to repeal all laws prohibiting the sale of liquor, with certain exceptions, in the county of Perquimans. Passed its third reading.

To amend section 1, chapter 288, laws 1881. Passed its third reading.

To amend chapter 31, laws 1873-74. Tabled.

To regulate fishing in Pamlico and Tar rivers. Mr. Bunn moved to amend by striking out the Falls of Tar river and inserting Wilmington and Weldon Railroad, which was adopted. The bill then passed its third reading.

To compel the Carolina Central Railroad to draw off the stagnant water ponded between Rockingham and Pee Dee rivers. Passed its second reading and referred.

To protect fish in Lumber river. Withdrawn by consent.

To prescribe the venue in actions against sheriffs. Tabled.

To disqualify certain persons from giving evidence on bonds, &c., executed prior to August 1, 1868. Pending the consideration of this bill the hour for the

SPECIAL ORDER

Having arrived, the chair announced the following as the special order for this hour:

Resolution of instruction to our members

in Congress in reference to the treaty between this government and the Hawaii Islands.

Mr. Simmons said:

MR. SPEAKER: In the treaty between Hawaii and this Government, free trade is guaranteed between the two powers.

The principal imports from the Sandwich Islands, or Hawaiian government is rice and sugar; the rice is known as Rangoon rice, and is of a very inferior grade, which comes to this country free of tariff duty, to compete with the better rice raised in the south, and especially that raised in eastern North Carolina, raised by the horny-handed sons of toil, whom we have the honor to represent. In addition to this inferior rice coming to this country free of tariff, the Chinese, and for "ways that are dark and tricks that are vain, the heathen Chinese is peculiar," ship their black rice to the Sandwich Islands, and then reship the same by said treaty to this country, as products of the Sandwich Islands.

I am a low tariff man, but while I am, I still deem it unfair to except in favor of this one government, and especially when the imports from that country are those which, when permitted to come free of tariff operate directly against the South and especially against the agricultural interest of Eastern North Carolina. In other words, I want a uniform tariff on all goods.

If our tariff was to be raised on one article, and only one, it would necessarily be larger. When to be raised on many articles it is necessarily smaller on each, in proportion to the number taxed, therefore this rice, this inferior Rangoon and black rice from the Sandwich Islands and China should be taxed.

And again, while I am a low tariff man, I am not willing that every other industry, and especially northern industry, be protected without raising my voice in behalf of the rice planters of North Carolina.

This resolution, if passed, will not stultify ourselves or seem inconsistent with the resolutions already passed, asking our Senators in Congress to use their influence in obtaining a total abolition of the revenue and a reduction of the tariff. For in this we only ask that the tariff be made uniform and general and that Rangoon and black rice from China and the Sandwich Islands be not permitted to come to this country free of tariff duty to compete with the rice of the South and North Carolina, when every other industry, and especially northern industry is protected; let us protect all or none. I favor the protection of none, but think a uniform tariff for revenue only necessary, and the protection given does not go to the government, but into the pockets of the manufacturer, though we in the South pay

it. I am a true North Carolinian, I love her, her people, and every interest of hers, and at all times will be ready to protect the fair fame and spotless character she now enjoys, and to see saved harmless her agricultural interest.

Mr. Bailey, of Mecklenburg, offered the following as an additional resolution:

Resolved further; That by the foregoing resolutions we do not mean to commit ourselves to the political heresy of protection.

Mr. Wilcox called for the yeas and nays, and the call was sustained.

Mr. Peebles favored the passage of the resolution because he thought that it was not inconsistent with the resolution passed with reference to having the tariff reduced, and because the agricultural interests of a portion of the State demanded it.

Mr. Page favored the resolution for the same reason.

Mr. Stringfield thought it inconsistent to ask for a tariff after asking for it to be reduced, and the internal revenue; that if this resolution passed the sugar interest would want protection, and then every manufacturing interest in the State would want the same thing. He could not see how any man who represented an agricultural people could vote for the resolution.

Mr. Powers, of Cumberland, was in favor of the resolution because taxes had to be raised somewhere, and that just now there was a tendency in North Carolina to free whisky, and that the tax must be raised if it had to be raised from the necessities of life.

Mr. Harris, of Wake, spoke in favor of the resolution.

Messrs. Powers, of Cleveland, and Robbins spoke in opposition to the resolutions.

Messrs. Worthington, Standford, McLoud and Green, of New Hanover, spoke in favor of the resolution.

Pending the discussion of this resolution by Mr. Robins a

MESSAGE

was received from the Senate informing the House that the Senate would proceed at the hour of 12 m., in a body to the House to canvass the vote for United States Senator.

Mr. Harrison was on motion allowed to have his vote recorded for United States Senator. He voted for Col. Johnston.

The House took a recess until 12 o'clock.

SPECIAL ORDER.

At 12 o'clock Speaker Rose called the House to order. The Senate was announced and came in and took the seats assigned them.

That part of the journals of the Senate and House referring to the election of United States Senator was read.

Speaker Rose then announced that Gen. Ransom, having received a majority of 61

votes, was elected United States Senator for the six year term next beginning.

The Senate then retired and the House proceeded with the first

SPECIAL ORDER,

The resolutions in reference to the Hawaiian Island treaty. The resolutions were adopted by the following vote:

AYES—Messrs. Abbott, Baker, Ball, Barrett, Baum, Belcher, Bledsoe, Bower, Bradley, Bridges, Bruce, Bryan, Bullock, Bunn, Byrd, Cain, Candler, Covington, Cheek, Cowell, Dixon, Eaton, Frazier, Gatling, Green, of Franklin, Green, of New Hanover, Grissett, Hamilton, Hardy, Harrison, Harris, of Wake, Hayes, of Robeson, Hayes, of Swain, Henderson, Hewlin, Holton, Jenkins, Johnson, of Craven, Johnson, of Johnston, Landreth, Leary, Lenoir, Lineback, McCotter, McCurry, McLoud, Mathis, Montgomery; Newby, Newell, Nixon, Page, Patrick, Peebles, Person, Phillips, Pitman, Poe, Powers, of Cumberland, Proctor, Pruitt, Ray, Reynolds, Riggs, Simmons, Smith, Speller, Stanford, Stokes, Strudwick, Sutton, Temple, Turner, Waddell, Walker, Williams, of Granville, Williams, of Sampson, Williamson, Wilcox, Wood, Worthington—80.

NAYS—Messrs. Anderson, Bailey, of Mecklenburg, Bailey, of Wilson, Beale, Bennett, Brown, Crouse, Forbis, Fulton, Gudger, Harris, of Davidson, Houston, King, Lawrence, Leazar, Liles, McAllister, Marsh, Matheson, Mitchell, Myers, Overman, Posey, Powers, of Cleveland, Reid, of Gaston, Reade, of Person, Robins, Sandifer, Sherrill, Steed, Stewart, Stringfield, Tate, Wilson—33.

Mr. Bailey, of Mecklenburg, explaining his vote, said as the treaty had not been produced he could not tell how to vote and therefore he would vote safely, and vote no.

(CALENDAR resumed.)

Bill to disqualify certain persons from giving evidence on bonds, &c., executed prior to August 1st, 1868. Recommended.

SPECIAL ORDER.

The bill to grant amnesty and pardon to certain persons selling liquor without license, being the special order for this hour, was taken up.

Some discussion ensued and was participated in by Messrs. Rose, Powers, of Cumberland, Green, of New Hanover, McLoud, Forbis, Bailey, of Mecklenburg, Bunn, Strudwick, McCotter, Leazar, Harris, of Wake, Sherrill and Robins.

Mr. Forbis called for the yeas and noes, and the call was sustained. The bill passed its second reading by the following vote:

YEAS.—Messrs. Bailey, of Mecklenburg, Bailey, of Wilson, Baker, Ball, Barrett, Baum, Beale, Belcher, Bennett, Bledsoe, Bower, Bradley, Bridges, Brown, Bryan, Bullock, Byrd, Cain, Candler, Covington, Cheek, Crouse, Cowell,

Dixon, Eaton, Frazier, Fulton, Gatling, Green of Franklin, Green of New Hanover, Grissett, Gudger, Hamilton, Hardy, Harrison, Harris of Davidson, Harris of Wake, Hayes of Robeson, Hayes of Swain, Henderson, Hewlin, Holton, Houston, Jenkins, Johnson of Craven, Johnson of Johnston, King, Landreth, Lawrence, Leary, Lenoir, Liles, Lineback, McAllister, McLoud, Marsh, Mathis, Mitchell, Montgomery, Myers, Newby, Newell, Nixon, Overman, Page, Patrick, Peebles, Person, Phillips, Pitman, Poe, Posey, Powers of Cumberland, Proctor, Pruitt, Reid of Gaston, Reade of Person, Reynolds, Robins, Sandifer, Simmons, Smith, Speller, Stanford, Steed, Stewart, Stokes, Stringfield, Strudwick, Sutton, Tate, Temple, Turner, Waddell, Walker, Williams of Sampson, Williamson, Wilcox, Wilson, Wood and Worthington—101.

NAYS.—Messrs. Abbott, Anderson, Bunn, Forbis, Leazar, Powers of Cleaveland, and Sherrill—7.

During the ballot Mr. Bailey, explaining his vote, said that while he thought it but right a pro rata should be paid, he so fully endorsed the act of amnesty that he voted aye.

r. Forbis said, in explanation of his vote, that if the House had accepted an amendment offered by himself, to make offenders pay to the county treasurer an amount equal to the pro rata license tax for the time they sold without license, so as to restore to the school fund that which it had been robbed, then he would vote for it, but the bill as it now stands invites and rewards violation of law, and therefore he voted no.

Mr. Sherrill, in explanation, said he would favor general amnesty, if the gentlemen would allow the clerical error made by the judiciary committee, and let it read 1881 instead of 1882, which error in effect did not reach the case of the parties in Cumberland county, as to payment of tax for license.

The bill passed its third reading without opposition, and was ordered to be engrossed.

Leave of absence was granted to Messrs. Gatling and Worthington until Tuesday next.

MESSAGES.

A message was received from the Senate informing the House that the Senate had passed the following bills:

To incorporate the town of Lexington.

To incorporate the Coast Line Turnpike Company.

To protect sheep and other domestic animals in Madison county.

To incorporate Germantown in Stokes county.

Concerning lands owned by the board of education.

CALENDAR (resumed.)

On motion of Mr. Beale, the rules were suspended and the bill incorporating the town of Lexington passed its several readings.

On motion of Mr. Waddell, the same course was taken with the bill incorporating the Coast Line Turnpike Company.

Bill to authorize the town commissioners of Oxford to transfer stock to the Oxford and Henderson Railroad company, passed its third reading.

To amend the landlord and tenant act, passed its third reading.

Touching the powers of executors and administrators, passed its third reading.

Pending the consideration of the calendar, the hour for adjournment arrived, and the House adjourned.

SENATE.

FOURTEENTH DAY.

THURSDAY, January 18.

The Senate was called to order at 11 o'clock, President Robinson in the chair.

Prayer by Rev. Dr. Atkinson, of the Second Presbyterian church, of this city.

The journal was read and approved.

PETITIONS.

Mr. Womack presented a petition from the citizens of Alamance county, asking a repeal of the drummers' tax.

Mr. Payne, petition from citizens of Anson county, asking the repeal of the purchase tax imposed by the laws of 1881. In presenting this petition, Mr. Payne stated that it was largely signed by the best citizens of Anson county. It was referred to the committee on finance.

Mr. Lyon, petition from citizens of Brunswick county, asking a repeal of certain laws regulating fishing on the sea coast.

Mr. Berry, petition in regard to the appointment of justices of the peace in Morganton township, Burke county.

Mr. Boykin, petition of certain citizens of Sampson county concerning a change of the dividing line between Johnson and Sampson counties.

Mr. Purnell, petition of certain citizens of Wake county, asking a prohibitory law for New Hill Christian Church in said county. Referred to the committee on propositions and grievances.

Mr. Boykin, petition concerning the issuing of bonds in Pender county. Placed upon the calendar.

Mr. Forehead, petition from citizens of Greensboro asking a repeal of the \$100 license tax on products of their own manufacture.

Mr. Scott, of New Hanover, petition from citizens of Wilmington in regard to the market regulations of that city.

Mr. Watson, petition of merchants of the town of Winston in regard to the mer-

chants' tax law. Referred to the committee on finance.

REPORTS FROM COMMITTEES

were made as follows:

From judiciary committee, by Messrs. Pemberton, Black, Boykin, Webb, Strayhorn, Caho and Loftin.

Corporations, by Mr. Scott, of Rockingham.

Education, by Messrs. Evans, Graham, and King, of Cherokee.

Engrossed bills, by Mr. Farmer.

A resolution was received from the House stating that the House had passed a resolution asking Dr. J. L. M. Curry, the agent of the Peabody fund, to address the members of the General Assembly in the hall of the House, at 12 o'clock to-morrow, and inviting the Senate to attend. The resolution was adopted by the Senate.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced as follows:

Mr. Richardson, a bill to amend chapter 200, laws of 1881, in regard to the public school laws of the State. Referred to the committee on education.

Mr. Lyon, a bill in regard to fishing on the coast of Brunswick county. Referred to the committee on fish interest.

Mr. Scott, of New Hanover, a bill to repeal certain provisions of chapter 191, and chapter 216, laws of 1881.

By the same, bill in regard to the plan of the city of Wilmington. Referred to the committee on corporations.

Mr. Caho, bill to amend chapter 150, laws of 1881, in regard to the manner of entering lands, making the same applicable to Pamlico and Hyde counties.

By the same, bill to make valid certain land grants issued by the State in the counties of Pamlico and Hyde.

Mr. Lyon, bill to reduce the amount of the bond to be given by Registers of Deeds. Referred to judiciary committee.

Mr. Dortch, bill to amend the law of attachment. Referred to judiciary committee.

Mr. Graham, bill to repeal the prohibitory law at the court house in Montgomery county.

Mr. Linney, bill to prevent the felling of trees in North Hunting Creek in Iredell county. Referred to committee on propositions and grievances.

Mr. Scott, of New Hanover, introduced the following resolution in regard to moving the State capitol from Raleigh to Wilmington, but the chair ruled that it would require a constitutional amendment.

WHEREAS, The State capitol has been located at the city of Raleigh for the past century, and the side-walks are still impassable, and are getting annually in a worse condition, and the streets are paved with a lake of mud and water, which renders them an eligible location for the American

bull frog, Therefore be it

Resolved, That the capitol of the State of North Carolina be removed from the city of Raleigh to the city of Wilmington, where the side-walks are in excellent condition, the streets respectably paved, where mud is not tolerated, and where the balmy air from the old Atlantic shall restore to perfect health the weary and drooping members from the west, who have been daily plodding their weary way to and from the State capitol through oceans of mud.

Resolved, That the congratulations of the General Assembly be tendered to the Mayor and Board of Aldermen of the city of Raleigh, and to the citizens in general, on the facilities they possess for starting a brick yard on Fayetteville street; every thing being in proper condition and the clay well mixed.

CALENDAR.

Bill to secure the better drainage of the low-lands of South Fork creek, and its tributaries in Forsythe and Davidson counties, passed its second and third readings and was ordered to be engrossed.

Mr. Morehead called up his motion, made yesterday, to reconsider the vote by which the bill to restore fees to attorneys passed the Senate on Tuesday, and stated that his reason for doing so was to offer an amendment to the bill. He explained at some length the merits of the amendment. The motion to reconsider prevailed, and his amendment was adopted.

Pending the passage of the bill as amended, upon motion of Mr. Toon, it was made a special order for Tuesday next at 12 o'clock.

Bill to allow the commissioners of Lenoir county to levy a special tax, passed its final reading, and was ordered enrolled for ratification. This bill provides for a special tax of \$5,000, to be used for the purpose of building a jail.

Bill to authorize the county of Pender to issue bonds was taken up.

Mr. Scott, of New Hanover, read a letter from Dr. Porter, of Pender county, in opposition to the bill and said: I object to this bill. The county of Pender is now out of debt and has \$5,000 in her treasury. They use the academy building for a court house, which answers every purpose, and as they have but few prisoners there is no necessity for a jail, for the prisoners can be taken care of in New Hanover jail as cheaply as they could in Pender.

Mr. Boykin: I introduced the bill at the request of the county commissioners and other county officers, who say that they want these bonds issued to enable them to build a jail and court house, and have before me letters from a number of leading citizens urging the passage of the bill, and in addition to this I presented this morning

a petition from a large number of tax-payers of the county asking for the same. This bill throws every necessary safeguard about the tax-payers. From my own personal knowledge of the county and the wants of the people, I know that the bill should pass. I am informed that the solicitor of the district drew a bill during the December term of court and presented it to the grand jury, indicting the commissioners for not having better houses in which to transact the county business and for the protection of her prisoners.

Mr. Lovill—Why is it that the \$5,000 now in the treasury is not used for the purpose indicated?

Mr. Boykin—These funds, I learn, have been appropriated towards paying the county debt.

Mr. Pemberton—What protection to the tax-payers does the bill give?

Mr. Boykin—That of not allowing the bonds to be sold below par.

Mr. Black moved to postpone the bill until Thursday next, at 12 o'clock, and to make it the special order for that hour.

Mr. Boykin—The bill has been before the Senate ten days already, and has been postponed once for the benefit of the Senator from New Hanover, but I have no objection to the postponement if any Senator wishes to investigate the matter further.

Mr. Black's motion prevailed.

The bill for the relief of the sheriffs of the State, after being amended by Mr. Linney, and discussed by several Senators, passed its third reading and was ordered engrossed.

The bill to repeal chapter 127, laws of 1879, was put upon its second reading.

Mr. Lovill—This bill is to repeal the law which makes it a misdemeanor to carry concealed weapons, and I am opposed to its passage.

Upon motion of Mr. Pemberton, it was passed over informally.

Bill to authorize the commissioners of Wilkes county to pay L. C. Hartley fifty dollars for teaching public schools, was, upon the suggestion of Mr. Linney, postponed until Saturday.

House resolution requesting our Senators and Representatives in Congress to use their best efforts to obtain a return of the money collected by a direct tax from citizens of North Carolina in 1865, was adopted.

Bill to incorporate the Southern Ore Company passed, and was ordered engrossed.

Bill to amend the charter of the town of Clinton passed, and was ordered engrossed.

Bill to incorporate the Newton Cotton Mills passed its final reading, and was ordered enrolled for ratification.

The bill making the February and August terms of Wake Superior Court for the trial of civil cases exclusively passed and was ordered engrossed.

The bill to incorporate the Bank of Goldsboro passed and was ordered engrossed. This bill provides for the independent operation of the Bank of Goldsboro, it having been operating as a branch of the bank of New Hanover since 1871.

Leave of absence was granted Messrs. Pool and Cozart.

An invitation from students of Wake Forest College was read, asking the members of the General Assembly to attend the anniversary meeting of the two societies of that college, to be held Friday, February 16.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

Speaker Rose called the House to order at 10 o'clock.

Prayer by Rev. J. M. Atkinson, of the Second Presbyterian church.

The reading of the journal was dispensed with, and it stood approved.

REPORTS OF COMMITTEES.

Judiciary—Reports were made by Messrs. Bailey of Mecklenburg, Frazier, McLoud, Green of Franklin, and Bullock.

Propositions and Grievances—Reports were made by Messrs. McAllister, Pruitt, Holt, Matheson, Brown and Mc Otter.

Penal Institutions—Reports were made by Messrs. Gudger and Hayes of Swain.

Engrossed Bills—A report was made by Mr. Abbott.

PETITIONS.

Mr. Williamson, petition from citizens of Columbus county, asking that the town of Fireway be incorporated.

Mr. Grissett, petition in regard to the corporate limits of Beulah church, from citizens of Brunswick county.

BILLS.

The following bills were introduced passed their first reading and were disposed of as follows:

By Mr. Williamson, to incorporate the town of Fireway in Columbus county. Committee on corporations.

By Mr. McAllister, to empower the sheriff of Cabarrus county to collect arrears of taxes. Committee on finance.

By Mr. Gussett, to define the corporate limits of Beulah Church. Committee on corporations.

By Mr. Wood, to prevent stock from running at large in the counties of Green and Lenoir. Committee on propositions and grievances.

By Mr. Hayes, of Swain, to forbid the sale of spiritous liquors in two miles of Cold Spring Baptist Church in his county. Committee on propositions and grievances.

By Mr. Perry, to amend the charter of the town of Hendersonville. Committee on corporations.

By Mr. Hardy, to amend chapter 72, laws 1868-'69. Committee on judiciary.

By Mr. Nixon, to amend the landlord and tenant act, Committee on judiciary.

By Mr. Belcher, to provide for the counting of votes deposited in the wrong box. Committee on judiciary.

By Mr. King, to make it a misdemeanor to mutilate or otherwise deface notices, signs, etc. Committee on judiciary.

By Mr. Bailey, of Mecklenburg, to amend the act incorporating the Fiddle Institute. Committee on propositions and grievances.

By Mr. Williams, of Granville, to amend the charter of the town of Henderson. Committee on corporations.

By Mr. Pruitt, to amend chapter 260, laws 1876-'77 and chapter 234, laws 1881.

By Mr. King, to amend the act allowing the Bank of Greensboro to wind up its business.

CALENDAR.

The calendar was taken up and disposed of as follows:

To amend chapter 116, laws 1881. Informally passed over.

To establish a graded public school in the town of Statesville. Upon the passage of this bill Mr. Bledsoe called for the yeas and nays. The call was not sustained.

Mr. Bledsoe said: Mr. Speaker, I really expected to hear our constitutional lawyer object to the passage of this bill. It is clearly unconstitutional in that it provides that the tax collected from the white polls shall go to the education of white children, and that collected from colored polls to the education of colored children, and it is therefore class legislation, and I shall be compelled to vote against the bill.

The bill then passed its third reading.

For the relief of the administrator of A. McCallum, late sheriff of Columbus county, passed third reading.

To amend chapter 3, private laws 1876-'77, passed third reading.

Relative to the sale of cotton between certain bours, passed third reading.

To amend chapter 27, section 15, Battle's Revisal, passed third reading.

Relative to the disposition of mortgaged property, passed third reading.

To repeal the act incorporating the town of Plymouth, passed third reading.

To repeal the local prohibition law in Hendersonville, in Henderson county, passed its third reading.

To authorize the registration of the bonds of this State, and for other purposes, passed its third reading.

To authorize the President of the Senate and Speaker of the House of Representatives to administer oaths, passed its third reading.

To amend chapter 234, laws of 1881, passed its third reading.

To authorize the commissioners of Moore

county to levy a special tax, passed its third reading.

An act concerning the sale of liquors in Germantown, passed its second reading, and on motion of Mr. Phillips, was informally passed over.

To amend chapter 116, laws of 1881, informally passed over.

Relating to the forging of names to petition and other papers. Passed its third reading.

To authorize the Virginia and Carolina railroad company to extend and construct their line within the limits of the State.

Mr. Hayes, of Robeson, stated that the proper way would be for the railroad company to prepare a charter, and let the legislature pass upon that, and not ask them to confirm a charter they did not know anything about, which was granted by another State. He moved to strike out sec. 1.

Mr. McLoud trusted that the gentleman from Robeson would withdraw his motion; that section 1 would not interfere with any action of any legislature which might desire to amend this charter; that this charter would be subject to the constitutional provision.

Mr. Hayes: Will the gentleman say that this legislature can repeal the charters of the Raleigh and Gaston and Wilmington and Weldon railroads?

Mr. McLoud: As a lawyer I would not be guilty of any such folly. But under the constitution the legislature is the boss of all charters granted to railroads since 1868, and this legislature cannot tie the hands of any subsequent legislature.

Mr. Robins was not opposed to the bill with Mr. Strudwick's amendment, but if the friends of the bill were opposed to that amendment it was time for the House to wake up. That the constitutional provision would not allow any legislature to divest any company of rights which might already have accrued under its charter. He was not opposed to giving this road a charter provided it was placed on safe grounds.

The Hon. J. L. W. Curry was announced as being present and was given a seat on the floor of the House.

Mr. Bailey stated that he had no personal interest in or care for the bill except his general desire to see all railroads built from any point to any other point, with liberal charters.

After further discussion, participated in by Messrs. Peebles, Strudwick, Lenoir and others, the bill was, on motion, recommitted to the judiciary committee.

Mr. Bunn introduced a resolution to invite the Hon. J. L. W. Curry to address the General Assembly at 12 o'clock, on the 19th inst., in the hall of the House of Representatives, which was adopted.

The chair announced the following

COMMITTEES:

Insurance—Messrs. Williams, of Sampson, Hardy, Harris, of Davidson, Posey and Hewlin.

Public Buildings—Messrs. Holt, Peebles, Bailey, of Wilson, Bunn and Page.

Public Library—Messrs. Bower, Forbis, Gilmer, Riggs and Cheek.

Appointment of Justices—Messrs. Simmons, Williamson, Bennett, Ray and Leary.

SPECIAL ORDER.

An act to amend an act concerning the killing of live stock, being the special order for this hour, it was taken up and after being discussed by Messrs. Bailey, of Mecklenburg, Holt, Powers, of Cumberland, and others, was on motion, laid on the table.

CALENDAR (resumed.)

To extend the time to pay State taxes in Dare county. Third reading.

To authorize county finance committees to administer oaths. Third reading.

To amend chapter 13, laws of 1880. Tabled.

To attach a portion of Craven county to Carteret. Informally passed over.

Senate amendment to the resolution relating to internal revenue. Concurred in.

MESSAGE.

A message was received from the Senate informing the House that the Senate had passed the following bills and resolutions:

To incorporate the Loftin Silver Lead Mining Company.

To incorporate the Bright Light Mining Company.

To regulate the purchase of land by State grants.

To authorize B. F. Logan, ex-sheriff of Cleveland county, to collect arrears of tax.

To amend chapter 117, laws of 1881.

That the Senate had concurred in the resolution inviting the Hon J. L. M. Curry to address the General Assembly.

LEAVE OF ABSENCE

was granted to Messrs. Stewart, Mathis, Williams of Granville, Page and Hewlin.

Leave of absence was also granted to Mr. Sherrill on account of death in his family.

A resolution fixing the hour for meeting at 11 o'clock was introduced and on motion of Mr. Baily, of Mecklenburg was laid on the table.

The hour for adjournment having arrived the House adjourned.

SENATE.

FIFTEENTH DAY.

FRIDAY, January 19.

The Senate was called to order at 11 o'clock, President Robinson in the chair.

PETITIONS.

A petition was introduced by Mr. Lyon from citizens of Columbus and Bladen

counties in regard to the dividing line between those two counties.

Mr. Webb, a petition from citizens of Gaston county, asking that the sale of spirituous liquors be prohibited within two miles of Shady Grove Baptist church.

REPORTS.

The following committees made reports: Finance committee, by Messrs. Alexander and Payne.

Judiciary committee, by Messrs. Boykin, Webb, McLean, Caho, Strayhorn, Loftin, Dortch, Pemberton, Black and Womack.

Corporations, by Mr. Scott, of Rockingham.

Engrossed bills, by Mr. Farmer.

BILLS INTRODUCED.

Mr. Ramsay, a bill prescribing the manner in which relief may be obtained from the operations of the stock law where it now prevails, or may hereafter prevail. It was referred to the committee on propositions and grievances, and, by request of the Senator, was ordered to be printed.

Mr. Womack, bill amendatory to chapter 200, laws of 1881, known as the school law. [This bill provides that teachers of public schools shall not draw pay for teaching prior to the date of their certificate. It requires the superintendent in each county to sign all orders which are drawn upon the school fund. The way the law now stands he is required to sign only those from teachers to draw their pay, while the bill introduced requires him to sign orders to pay for repairing or building school-houses, or for any other purpose, when the money is to come from the school fund. It also requires the county superintendent to take an oath before entering upon the discharge of his duties, and that he shall keep a book of records of the status of the school fund of each school district, and all orders signed by him, so that he may be able at any time to give a detailed and full account of the school operations in his county.]

The bill was referred to the committee on education.

Mr. Mebane, a bill for the better protection of the elective franchise. Referred to the committee on propositions and grievances.

Mr. Lyon, bill to amend chapter 318, laws of 1879, in regard to the boundary line between Columbus and Bladen counties. [There is a distance of four miles where the dividing line between these two counties runs in the middle of a public road, and the citizens of Bladen along this line work this road, while those in Columbus do not. The bill proposes to change the line so that two miles of the road will be in Bladen county, and two miles in Columbus county, thus designating plainly what proportion of the road each county shall keep in repair. The citizens of both counties are favorable to this, as shown by the petition.]

The bill offered by Mr. Lyon was referred to the committee on propositions and grievances.

Mr. Dortch, a bill to allow creditors to sue on claims in certain cases before they become due. Referred to the judiciary committee. This bill, if passed, will be a new law in North Carolina, there never having been any thing of the kind on the statute books of this State. The bill provides that when any creditor shall make oath, or procure oath to be made by some other person cognizant of the facts, setting forth the circumstances originating his debt, claim or demand, and alleging that the same is not yet due, and that the debtor has disposed of or is about to dispose of his property, or that such debtor has absconded, or is about to abscond, with intent to defraud said creditor and deprive him of the fruits of any future recovery by reason of such debt, claim or demand shall become due, payable and recoverable at once; and said creditor may bring action therefor, and be entitled to the provisional remedies in civil actions as in other cases.

Provided, however, that said debtor may set up as a defense to such action that the allegations in said affidavit are not true; and if upon trial of said issue it be found that said allegations are not true, the defendant shall have judgment for costs and shall be entitled to sue the plaintiff for damages sustained by him, as he may set up such damages by way of counter-claim in any future action on said debt, claim or demand.

Leave of absence was granted Mr. Farmer until Tuesday next.

Mr. Boykin announced that Hon. J. W. Shackelford, the member of Congress from the third district, died on yesterday morning, in Washington City, and that inasmuch as he had been a member of both branches of this General Assembly, he thought it would be proper for the Senate to adjourn out of respect entertained towards him, the House having already adjourned. His motion prevailed.

The President called the attention of Senators to the fact they were invited to the House of Representatives at 12 m., to hear the address of Dr. Curry, the agent of the Peabody fund.

The Senate adjourned to meet to-morrow at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

The House was called to order at 10 o'clock by Speaker Rose.

The reading of the journal of yesterday was, on motion, dispensed with, and it stood approved.

PETITIONS.

The following petitions were introduced: Mr. Cain, petition from voters of Davie

county, asking the repeal of the stock law. From citizens of the same, asking that it be not repealed.

Mr. Dixon, petitions from the citizens of Greene county, asking that no stock law be passed for that county.

Mr. Holt, petition of the merchants and tobacco manufacturers of Graham, asking the repeal of the license tax.

From Mebauesville, asking the same.

Mr. Reade, of Person, petition from eighty-three citizens of Person county, asking the repeal of certain local prohibitory laws.

Mr. Dixon, petition of citizens of Greene county, asking the repeal of certain local prohibitory laws.

REPORTS OF COMMITTEES.

Judiciary—Reports by Messrs. Bailey, of Mecklenburg, and Peebles.

Corporations—Reports by Messrs. Wilson, McCurry and Brown.

Propositions and Grievances—Reports by Messrs. Holt and Fulton.

Banks and Currency—Report by Mr. Lawrence.

Engrossed Bills—Report by Mr. Abbott.

RESOLUTIONS.

Mr. Forbis, resolution to facilitate the business before the General Assembly of 1883.

Mr. Lawrence, resolution proposing to visit the State Penitentiary for the purpose of acquiring information concerning the same.

BILLS.

The following bills were introduced, passed their first reading and were referred.

Mr. Speller, to amend the landlord and tenant act.

Mr. Stanford, to amend chapter 143, laws of 1876-77.

Mr. Barrett, to prohibit the sale of intoxicating liquors to idiots, lunatics or inebriates who have guardians.

Mr. Dixon, to repeal the law prohibiting the sale of liquor within three miles of Eden Church in Greene county.

Mr. Sherrill, to incorporate the town of Maiden, in Catawba county.

Mr. Wittchell, to incorporate Winston Lodge, Hertford county.

Mr. Newell, to establish graded schools in Bladen county.

Mr. Wilcox, to incorporate the Wilkesboro Bridge Company.

Mr. Peebles, to regulate the sale of liquor in Northampton county.

By the same, to incorporate the Weldon and Garysburg Bridge, Ferry and Road Company.

Mr. Frazier announced the death of the Hon. J. W. Shackelford, Representative in Congress for this State from the third Congressional district, and moved that the House adjourn out of respect to his memory until the hour of 12 o'clock m.

Mr. Bledsoe said it was nothing but right that this respect should be paid to the memory of this good man, and he seconded the motion of Mr. Frazier.

The motion of Mr. Frazier was adopted and the House adjourned until 12 o'clock.

At 12 o'clock m. the House and Senate met in joint session to hear the lecture of the Rev. Dr. J. L. M. Curry, the representative of the Peabody fund.

At the conclusion of his remarks the House adjourned at 2 p. m.

SENATE.

SIXTEENTH DAY.

SATURDAY, January 20, 1883.

Senate called to order at 11 o'clock by President Robinson.

Prayer by Rev. Dr. Marshall, of Christ's Church.

Journal of yesterday read and approved.

By request of Mr. Costner, Mr. Webb was granted leave of absence.

PETITIONS.

Mr. Graham presented a petition from citizens of Moore county, asking a repeal of the license tax law.

Mr. Dotson, petition from citizens of Iredell county, asking the prohibition of the sale of spirituous liquors within one mile of Chapel Hill Church.

Mr. Payne, petition from citizens of Union county praying for the passage of a law prohibiting the sale of spirituous liquors within two miles of Macedonia and Liberty Baptist Churches, in said county.

REPORTS.

The following committees made reports: Judiciary, by Mr. McLean.

Engrossed bills by Mr. King, of Cherokee.

Corporations, by Messrs. Scott, of Rockingham, and Strayhorn.

Propositions and Grievances, by Messrs. Battle, McLean, Womack, Berry, Speight, and Costner.

Enrolled bills, by Mr. Pemberton.

The following acts were announced as being properly enrolled and ready for ratification:

An act for the protection of sheep and other domestic animals in the county of Yancey.

An act to amend chapter 116 of the laws of 1881.

An act to perfect the organization of the Odell Manufacturing Company.

An act to confirm a donation of land and right of way made by the town of Edenton to the Elizabeth City and Norfolk Railroad Company.

An act to amend chapter 282 of the laws of 1881, entitled "An act to protect fish in Lumber river in the counties of Columbus and Robeson.

An act to repeal an act to make Tuckahoe river a lawful fence.

An act to amend section one, chapter 234, of the acts of the General Assembly of the session of 1881.

An act to amend Section 5, chapter 253, laws of 1881.

An act to prevent the felling of timber or brush in Spring Creek or any of its tributaries in Madison county.

An act to protect the fish in the waters of Henderson county.

Resolution of instruction to our Senators and request to our representatives in Congress.

INTRODUCTION.

Bills and resolutions introduced as follows:

Mr. Dotson, bill to prohibit the sale of spirituous liquors within one mile of Chapel Hill Church in Iredell county.

Mr. Womack, resolution in regard to joint rules.

Mr. Dortch, bill to punish the seduction of women. Referred to the judiciary committee.

Mr. Battle, by request, bill to prevent officers of banks from serving on juries. Referred to the judiciary committee.

Mr. Pemberton, bill to punish the crime of lobbying.

Mr. Black, bill to amend chapter 186, laws of 1879.

Mr. Pemberton, by request of the State Board of Education, resolution in regard to the sale of swamp lands in Hyde, Tyrrell and Washington counties.

Mr. Eaves, bill to incorporate the Rutherford county Railroad Construction Company. Referred to the committee on internal improvements.

Mr. Pinnix, bill to amend chapter 58 of the laws of 1881. Referred to the judiciary committee.

By the same, bill to incorporate the Rich Knob Copper Company. Referred to the committee on corporations.

Mr. Gray, bill to incorporate the town of Killquick, in Edgecombe county.

Mr. Ebbs, bill in regard to deadly weapons.

Mr. Payne, bill in regard to punishment for concealment of childbirth.

CALENDAR.

Bill to exempt from taxation farming implements and mechanical tools, was put upon its third reading.

Mr. Womack moved to table the bill.

Mr. Speight, the introducer of the bill, called for the yeas and nays. His call was not sustained.

The motion to table did not prevail—14 to 13 votes.

Pending its passage Mr. Watson said that as a Senator he had sworn to support the constitution, and that as this bill seemed to be unconstitutional, he could not support it.

but if it was constitutional he was very willing to vote for it.

Mr. Dortch said it was very clear to his mind that it was constitutional.

Mr. Alexander said the finance committee, which had reported unfavorably, had considered the bill carefully, and thought it unconstitutional, but in order that the matter might be fully investigated, he moved to refer it to the judiciary committee. The motion prevailed.

Bill to amend chapter 200, laws of 1879, upon second reading was referred to committee on education, the judiciary committee having reported unfavorably.

Bill to repeal the law in regard to the sale or giving away of spirituous liquors within two miles of any political speaking was put upon its second reading. The report of the judiciary committee recommended that the bill be so amended as to make it one mile, instead of two miles.

Upon motion of Mr. Scott, of Rockingham, the bill was postponed until next Tuesday at 12 o'clock and made a special order for that hour.

Bill to repeal chapter 212, laws of 1879, was postponed until next Tuesday.

Bill to amend section 10, chapter 37, Battle's Revisal, in regard to alimony in divorce cases, after being discussed at length by Messrs. Payne, Scott of Rockingham, Pemberton, Dortch, Watson and others, passed, and was ordered engrossed.

Bill to repeal the law prohibiting the carrying of concealed weapons was put upon its third reading.

Mr. Scott, of Rockingham, the introducer of the bill, thought it ought to pass, and that the citizens of New Hanover county especially needed it, as, many times, the country people in traveling at night on their way to the city to sell the products of their farms were robbed, and it would be a great protection to them to be allowed to carry a pistol or something of the kind.

Mr. Mebane, colored, said that as the Senate had failed to pass his bill to make it an indictable offense to sell pistols, bowie-knives, slung-shots, etc., he thought this bill should pass, for it did not seem right to him for the State to legalize the sale of a thing and then make it an offence to carry it.

Mr. Strayhorn—The State does not prohibit any person carrying a pistol or any weapon of the kind; the only prohibition is in carrying it concealed about his person, and it seems to me that the citizens referred to by the Senator from New Hanover can get all the relief they want by carrying their shot-gun or pistol with them. No trouble for them to hang them up in their wagons where they can be brought into requisition whenever needed. The law which prevents the carrying of weapons concealed is a good one and has been, doubtless, the means of

saving many lives that would have been lost at the hands of parties in the heat of passion.

On motion of Mr. Hill the bill was tabled.

Bill to amend section 32, chapter 105, Battle's Revisal, upon motion of Mr. Hill, was laid upon the table.

Bill to provide further compensation for witnesses attending magistrates courts was taken up for consideration. The bill allowed all witnesses attending magistrates courts one dollar per day. The judiciary committee recommended an amendment making it fifty cents per day, and only two witnesses be allowed pay for every material fact where magistrates had final jurisdiction. The amendment of the committee was adopted. Upon motion of Mr. Hill further consideration of the bill was postponed.

Bill to repeal chapter 368, laws of 1881, was indefinitely postponed.

Mr. Pemberton moved to take from the calendar the bill introduced by himself this morning in regard to the sale of swamp lands in Hyde, Tyrrell and Washington counties for consideration, but upon motion of Mr. Strayhorn it was referred to the committee on education.

Bill to amend chapter 20 of Battle's Revisal, relating to agricultural liens, was taken from the calendar, and after adopting the substitute suggested by the judiciary committee, passed its second and third readings and was ordered engrossed.

Bill to make false listing of property a misdemeanor failed to pass on its second reading.

Bill touching injunction orders passed its second and third readings and was ordered enrolled.

Bill to establish a standard weight for a barrel of pork failed to pass its second reading.

Bill to amend the laws of divorce was passed over informally.

Bill to amend chapter 217, laws of 1871, in regard to deeds and conveyances was, upon motion of Mr. Payne, placed upon the table.

Bill for the protection of mechanics and laborers, upon motion of Mr. Strayhorn, was made a special order for Thursday next at 12 o'clock.

MESSAGES.

A message was received from the House of Representatives announcing the passage of the following bills:

Bill to punish the forging of names to petitions and other papers.

Bill to extend the time of paying the State taxes in the county of Dare.

Bill to amend chapter 180, laws of 1881, to regulate fishing in Pamlico and Tar rivers.

Bill to grant amnesty and pardon to certain persons accused of retailing spirituous liquors without license.

Bill to authorize the chairman of the finance committee of the several counties of this State to administer oaths.

Bill to relieve Carteret county of sections 6 and 7, chapter 118 Battle's Revisal.

Engrossed amendment to Senate bill to amend chapter 31 of the laws of 1873-'74, relating to the disposition of mortgaged property.

Upon motion of Mr. Purnell, the Senate adjourned to meet Monday at 11 o'clock.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 20, 1883.

The House was called to order at 10 o'clock by the Speaker.

Prayer by the Rev. Dr. M. M. Marshall.

The reading of the Journal was dispensed with and it stood approved.

PETITIONS.

By Mr. Ray, petitions from the town of Webster against the repeal of the corporation law. By Mr. Cowell, a petition sustaining the change of the name of the Elizabeth City and Norfolk Railroad Company.

By Mr. Overman, twenty-five petitions from citizens of Davie county asking that the stock law be not repealed.

By Mr. Cain, petitions asking that the stock law be repealed.

REPORTS OF COMMITTEES.

Corporations—Reports by Messrs. Ray, and Peebles.

Engrossed bills—Report by Mr. Abbott. Propositions and Grievances—Report by Mr. McCotter.

Finance—Reports by Messrs. Temple and Tate.

Judiciary—Reports by Messrs. McLoud, Peebles, Bunn, Holton and Strudwick.

RESOLUTIONS.

By Mr. Bennett: Resolved that the committee on agriculture be requested to inquire whether the purposes for which the department of agriculture was established would not be better subserved by changing the organization of the board of agriculture so as to have the leading industries of our State represented on said board, and also whether or not the commissioner and other members of said board ought not to be elected by the people, and report by bill or otherwise.

By Mr. Bailey, of Mecklenburg: Resolved by the House of Representatives, the Senate concurring, that the thanks of the General Assembly are due and are hereby tendered to the Rev. Dr. J. L. W. Curry for the able, eloquent and instructive discourse delivered by him in the House on yesterday. That 1,700 copies of the same be published for general distribution.

BILLS.

The following bills were introduced, passed their first reading and were disposed of as follows:

Mr. Nixon, relative to the Superior Court clerk of Perquimans county. Judiciary committee.

Mr. Gudger, relating to the duties of magistrates and county treasurers. Judiciary committee.

Mr. Tate, to provide for the punishment of certain injuries to person and property. Judiciary committee.

Mr. Harris, of Davidson, to provide for the repeal of the stock law by the qualified voters. Judiciary committee.

Mr. Bailey, of Mecklenburg, to protect innocent purchasers of personal property. Judiciary committee.

By the same, to incorporate "the co-operative Colonization Society in Teutonia." Committee on corporations.

Mr. Ball, to prohibit the sale of liquor within two miles of Big Laurel Baptist church. Propositions and grievances.

By the same, to amend chapter 117, laws 1881. Finance committee.

Mr. Bower, to repeal the law prohibiting fishing in Yadkin river, Caldwell county. Committee on fish interests.

Mr. Bridgers, to exempt ministers of the gospel from certain public duties. Judiciary committee.

On motion of Mr. Powers, of Cleaveland, the rules were suspended and the following bill passed its third reading; to authorize B. F. Logan, ex-Sheriff of Cleaveland county, to collect arrears of taxes.

On motion of Mr. Dixon, the same course was taken with the bill changing the distance of the operation of the prohibition law from three to within one mile of Eden Church in Greene county.

Mr. Stanford moved that the rules be suspended and the bill to prevent the running at large of stock in the counties of Lenoir and Greene be put on its second reading, which was adopted.

Some little discussion was participated in by Messrs. Stanford, Ledsoe, Powers, of Cumberland; Holt, Powers, of Cleaveland; McLoud, Robins, and Harris, of Wake.

Mr. Wilcox moved to amend by "submitting to the people of said counties within thirty days," which was adopted.

Upon the vote on the amendment:

Mr. Bailey, of Mecklenburg, said in explanation of his vote that the amendment was clearly unconstitutional as it provides not for submitting it to the qualified voters, but to the people, thereby embracing women and minors who are not entitled, as yet, to vote.

Mr. Green, of Franklin, in explanation of his vote, said that the question of a "no fence" law was a matter of discussion in his county in the last campaign—that he had stated that he should not favor a general law for the State or the county of Franklin, but if a majority of the people of a county

or township desired the law they should be allowed to have it. While in this particular instance and all others, he would not force upon any county or township this law, contrary to their will and would desire in all such cases that their will should be clearly expressed, yet the representatives of the counties interested in this bill, having stated upon this floor that the question of a "no fence law" was fully discussed in the last canvass, and that a petition asking for the passage of this bill, signed by nine-tenths of the property holders and a majority of the voters, of both political parties was now before this House and for the reason that the adoption of this amendment would defeat the bill, he should vote no.

Messrs. Leazer, Tomlin, Robins, King and Overman stated substantially the same as Mr. Green, of Franklin, and voted no.

Mr. Wilcox stated in explanation of his vote that he was not in favor of passing stock laws by the Legislature unless submitted to a vote of the people, and that he regretted very much to oppose any measure of the gentleman from Duplin, and would not if he did not think this arbitrary legislation a bad precedent.

The bill as amended passed its second reading.

CALENDAR.

The calendar was then taken up and disposed of as follows:

To prevent embezzlement by attorneys.

Mr. Bailey, of Mecklenburg, moved that it be made the special order for Tuesday next at 11 o'clock, which was adopted.

Bill concerning appealable orders, passed its third reading.

Mr. Powers, of Cumberland, moved to suspend the rules, and put upon its third reading, the bill to prevent the running at large of live stock in the counties of Lenoir and Greene. The motion did not prevail.

Resolution in favor of S. C. W. Tate. Tabled.

Resolution to pay J. T. Morriss \$30 for chairs, passed its third reading.

Resolution to facilitate business before the General Assembly. Tabled.

To prohibit the working of female convicts on certain public works. Tabled.

Substitute for a bill to amend the law concerning notices of "lis pendens" passed its third reading.

To afford greater redress for seduction. Tabled.

To authorize the granting of injunction orders and certain State warrants by telegram. Recommended.

To establish Roanoke township in Halifax county. Informally passed over.

To compel the Carolina Central Railroad company to draw off stagnant water ponded in Richmond county. Third reading.

To amend the law relative to official advertising. Recommended.

To amend chapter 128, laws of 1873-4. Third reading.

To amend chapter 234, laws of 1881. Third reading.

To incorporate the Weeping Mary Burial Society. Third reading.

MESSAGE.

A message was received from the Senate informing the House that the Senate had passed the following bills.

For the relief of the sheriffs of the State. On motion the rules were suspended and this bill passed its second reading and was referred.

To incorporate the Bank of Goldsboro. Banks and currency.

Leave of absence was granted to Mr. Powers, of Cleaveland, on account of death in his family. Leave was also granted to Messrs Bullock and Poe, and to the principal doorkeeper, Mr. Julian, until Tuesday next.

CALENDAR (resumed.)

To disqualify certain persons from giving evidence touching judgments rendered and bonds executed prior to August 1, 1868.

Pending the consideration of this bill the hour for adjournment arrived, and the House adjourned.

SENATE.

SEVENTEENTH DAY.

MONDAY, January 22.

The Senate was called to order at 11 o'clock by President Robinson.

The reading of the journal of Saturday was omitted.

PETITIONS AND MEMORIALS.

Mr. Alexander presented a memorial from the board of commerce of the city of Charlotte, asking the formation of a railroad commission. The memorial was referred to the committee on railroad commission.

Mr. Pemberton, a petition from citizens of Stanly county, asking the General Assembly not to pass a stock law for Stanly county. Referred to the committee on propositions and grievances.

Mr. Loftin, petition of citizens of Lenoir, asking that the General Assembly do not pass a stock law for that county. Referred to the committee on propositions and grievances.

By the same, a petition from citizens of Bladen county, asking that a prohibitory liquor law be passed, so as to prevent the sale of liquor in two miles of Sandy Grove and Scott Springs churches.

REPORTS.

The following committees made reports: Propositions and grievances by Mr. Womack.

Insane Asylum by Messrs. Ramsay and Boykin.

Finance by Mr. Linney.

Internal improvements by Messrs. King,

of Cherokee, Watson and Scott, of Rockingham.

BILLS INTRODUCED.

Mr. Battle, bill to amend chapter 141, laws of 1876-77, concerning duties of justices of the peace. Judiciary committee.

Mr. Watson, bill to validate certain deeds. Judiciary committee.

By the same, bill to amend chapter 50, laws of 1876-77. Placed on calendar.

r. Mebane, to repeal section 1, chapter 232, laws of 1879, so far as it relates to the county of Bertie.

Mr. Purnell, to make bonds issued by the State or any municipal corporation redeemable after five years.

Mr. Watson, concerning the election of Congressmen at large. Placed upon the calendar.

Mr. Pinnix, to reduce the number of jurymen in an allotment of a dower. Referred to judiciary committee.

Mr. Evans, to protect crops in Caswell county.

CALENDAR.

Upon motion of Mr. Womack, House resolution in regard to the Hawaiian treaty was referred to the judiciary committee.

Bill to appropriate and set apart certain funds for the Western Insane Asylum was put upon its second reading.

Mr. Boykin explained that there was a balance in the treasury of the Insane Asylum funds of something over \$6,200, and according to law the Western Asylum would be opened for patients on the first of February, and that as this institution needed more funds to furnish it properly, and as the bill provided for that want, he was in favor of the passage of the bill. The bill passed its several readings.

Bill to amend chapter 297, laws of 1881, was put upon its second reading.

Mr. Ramsay explained that the law now in force requires the directors of the Western Insane Asylum to take, as soon as that institution was ready for their reception, one hundred patients from the asylum at Raleigh, and that the object of the present bill was to give the directors of the Western Asylum their discretion in taking any number over fifty, for he said there were so many patients now in the jails of the western counties that he did not think there would be capacity for accommodating as many as one hundred from Raleigh just at this time. The bill was discussed by several Senators and finally passed over informally.

Bill to amend section 50, chapter 275, laws of 1876-77, concerning the filling of vacancies in Congressional representation.

Mr. Watson explained that in the case of the death of Hon. J. W. Shackelford the time intervening before the expiration of his term was so short that it would not justify holding an election to fill the vacancy,

and that this bill authorized the Governor to not call an election in this case and in all similar cases within sixty days of the expiration of the term.

Mr. Pinnix thought that the bill should only apply to the present case and that another bill should be introduced to meet the exigencies of the future, and introduced an amendment to that effect, which was adopted.

Pending its passage on the second reading, Mr. Boykin introduced a substitute with an appropriate preamble, and said that in this case, if the Governor issued his writ of election to-day for a new election to be held in the third district, to fill the vacancy, that, according to the present election machinery, it would be thirty days before a successor to Mr. Shackelford could be elected, and then one week before the canvassing board could declare the result—thus the party elected would not reach Washington in time enough to hold his seat but three or four days, as the term would expire on the 4th of March, 1883, and inasmuch as this bill would prevent the people of the Third district from having an exciting election and save the State much expense and all to no purpose, he was in favor of its passage at once to relieve the Governor from issuing his proclamation. His substitute was adopted and passed its several readings, and at his suggestion it was transmitted to the House of Representatives without engrossment.

Bill to incorporate Red Knob Copper Company passed its second and third readings and was ordered engrossed.

Bill to pay witnesses in criminal actions before justices of the peace was put upon its third reading. The amendment from judiciary committee making the pay fifty cents was adopted.

Mr. Linney opposed the bill, but finally sent in an amendment providing that no prosecutor shall be compelled to pay costs unless the justice who tried the cause shall find that the prosecution was malicious and frivolous.

Mr. McLean opposed the amendment, stating that the amendment would destroy in a great measure the usefulness of the bill, for the case might be frivolous and not be malicious, or vice versa, and that the amendment, if adopted at all, should read "or" instead of "and." The amendment was adopted as sent forward. After being discussed by Messrs. Linney, Watson, Womack, McLean and Morehead it passed under roll call, 29 to 7, as follows:

AYES—Messrs. Alexander, Battle, Boykin, Costner, Dortch, Dotson, Eaves, Goodwyn, Graham, Hampton, Jones, King of Cherokee, Linney, Loftin, Lovell, Lyon, Morrison, Neill, Payne, Pemberton, Pinnix, Purnell, Ramsay, Richardson, Speight, Strayhorn, Watson, Whitford. Womack—29.

NAYS—Messrs. Ebbs, Evans, Gray, McLean, Mebane, Morehead, Scott of Rockingham.—7.

House bill to amend chapter 45, laws of 1879, was informally passed over.

Bill to make dogs the subject of larceny was put upon its third reading.

Mr. Mebane sent forward an amendment providing that the provisions of the act do not apply to Bertie and Northampton counties, which was rejected.

Mr. Scott, of Rockingham, sent forward an amendment providing for the listing of all dogs as property.

Mr. Pinnix thought that if this amendment was adopted there would be a general howl all over the State.

Mr. Ebbs said that if the amendment was adopted there would be more than dogs that would howl throughout the State, and that if the Senator from Rockingham was from his district the place that knows him now would know him no more forever.

Mr. Scott, of Rockingham, said, according to the statements of other Senators, it was popularity with the people that they were seeking, and that if the Senators would drop such notions and do what they believed to be right and for the good of the State at large, it would be much better for the people and the State. He thought that if dogs were to be made the subject of larceny it was nothing but right that they should be listed as property.

Mr. Watson said that he had long heard of the great trans-montane region and especially the section from which the Senator from Madison came, and had always done all in his power to help develop the resources of that section by aiding in its railroad enterprises and he was yet willing to do what he could in that way, but it seemed strange to him now, as to the industries of that section, for he had always heard that the rich hillsides and the fertile plains were all dotted with herds of sheep feeding upon the luxuriant and waving grasses, but it seemed now from the speech of the Senator from Madison that he was mistaken and that the whole country was covered with dogs and that they roamed at large and subsisted upon the fruit of the persimmon trees.

Mr. McLean moved to table the whole matter.

Mr. Pemberton called for the ayes and nays; the call was sustained and the vote stood as follows:

Ayes—Berry, Eaves, Goodwyn, Graham, Gray, Hampton, Linney, Loftin, Lyon, McLean, Morrison, Neill, Pemberton, Pinnix, Ramsay, Richardson, Speight, Strayhorn, Womack.—19.

Nays—Alexander, Battle, Black, Costner, Dortch, Dotson, Evans, Lovell, Mebane, Morehead, Payne, Scott, of Rockingham, Watson, Whitford.—15.

Leave of absence was granted the sergeant-at-arms for one day.

Mr. Dortch offered a resolution appointing 10 o'clock as the hour for the Senate to meet every morning.

Mr. Watson said that the greater part of the work of the session was now before the committees, and as there was so much important business for them to transact every afternoon, night and morning, that it would be better that the hour remain as it is for awhile yet. The resolution was rejected.

The Senate adjourned to meet at 11 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, January 22, 1883.

At 10 o'clock Speaker Rose called the House to order.

The journal of Saturday was read and approved.

PETITIONS.

By Mr. Overman, petitions from citizens of Davie county, asking that certain local prohibitory laws be not repealed.

By Mr. Leazar, petitions from citizens of Mocksville, asking that the local prohibition law be not repealed.

By Mr. Bailey, of Mecklenburg, petition asking the appointment of justices of the peace. Petition of the Chamber of Commerce of Charlotte, relative to the railroad commission.

By Mr. Holton, petitions asking the repeal of the stock law in Yadkin county.

By Mr. Tate, petitions asking the appointment of justices of the peace.

By Mr. Dixon, petition relative to the stock law in Greene and Lenoir counties.

By Mr. Powers, of Cumberland, petition asking that the sale of liquor be prohibited within three miles of Mount Misery in Cedar Creek township.

By Mr. Anderson, petition to refund money to J. R. Lindsay paid for land covered by older grants.

RESOLUTIONS.

By Mr. Standford, resolution instructing the committee on the code to prepare a bill to carry into effect that part of the Governor's message relating to the form of bills of indictment.

By Mr. Anderson, resolution in favor of J. R. Lindsay.

BILLS.

The following bills were introduced, passed their first reading and were referred.

By Mr. Bailey, of Mecklenburg, touching the signing of orders and judgments.

To amend sec. 369, of the original Code of Civil Procedure.

To amend the law making the killing of live stock by cars indictable.

By Mr. McAlister, to incorporate St. John's Agricultural and Mechanical Association of Cabarrus county.

By Mr. Peebles, to repeal sec. 3, chap. 240, laws of 1874-75.

By Mr. Holt, to extend the time to redeem land sold for taxes.

CALENDAR.

The following bills were taken up on their second reading and disposed of as follows:

An act to disqualify certain persons from giving evidence on judgments rendered and contracts and bonds executed prior to August 1st, 1868, being the unfinished business of Saturday, was taken up, and after being discussed by Messrs. Robins, Phillips, McCloud, Gunn, Bailey of Mecklenburg, and Holton, passed its third reading.

To amend chapter 260, laws of 1876-77. Passed its third reading.

To incorporate Fayetteville Lodge, No. 1. Ancient Knights. Passed its third reading.

To incorporate the Narrows Island Club. Passed its second reading and was then passed over informally.

To repeal the law incorporating the town of Webster. Tabled.

To change the time of holding State elections to the first Thursday in August. Tabled.

For the protection of crops in certain localities. Referred.

To restore burnt records and lost wills in Cabarrus county. Passed its third reading.

To amend chapter 183, laws 1879. Tabled.

To establish Roanoke township, in Halifax county. Informally passed over.

To change the county line between the counties of Haywood and Jackson. Tabled.

To amend chapter 25 of Battle's Revisal. Tabled.

To amend an act making the killing of live stock by the cars indictable, passed its third reading.

To attach a portion of Craven county to Carteret, was informally passed over.

To amend chapter 13, laws 1880, passed third reading.

To establish twelve judicial districts in the State of North Carolina.

Mr. Ray moved to make it the special order for Thursday at 11 o'clock.

Mr. Wilcox moved to table and called for the yeas and nays. The call was sustained and the vote was as follows:

AYES.—Messrs. Anderson, Baker, Ball, Barrett, Bennett, Bledsoe, Bradley, Bridgers, Bruce, Bryan, Byrd, Cain, Chandler, Cheek, Dixon, Eaton, Frazier, Fulton, Grissett, Gudger, Hamilton, Harris, of Davidson, Hayes, of Robeson, Hayes, of Swain, Henderson, Johnson, of Craven; Landreth, Leary, Lineback, McCurry, Mitchell, Newby, Newell, Patrick, Person, Pitman, Pruitt, Reade, of Person, Robins, Sandifer, Smith, Speller, Steed, Stokes, Stringfield, Sutton, Turner, Waddell, Walker, Wilcox—50.

NAYS.—Messrs. Abbott, Bailey of Meck-

lenburg, Bower, Brown, Bunn, Forbis, Green, of Franklin, Hardy, Harris, of Wake, Holt, Holton, Houston, King, Lawrence, Leazar, Lenoir, McAllister, McCotter, McCloud, Marsh, of Itheson, Nixon, Overman, Peebles, Phillips, Posey, Powers, of Cumberland, Ray, Reid, of Gaston, Reynolds, Riggs, Simmons, Stanford, Strudwick, Tate, Thompson, Tomlins, Williams, of Sampson, Wood—39.

Mr. Ray in explanation of his vote said:

"I am opposed to this bill and shall vote against it on its passage, but for the purpose of having the matter freely discussed, I vote no, on the motion to table."

Messrs. Bower, Forbis, and Harris, of Wake, in explanation of their votes stated in effect the same thing.

Mr. Patrick moved to reconsider the vote just taken, which tabled the bill last before the House.

On that motion Mr. Wilcox called for the yeas and nays, and the call was sustained.

The ballot was as follows:

AYES.—Messrs. Abbott, Bailey, of Mecklenburg, Barrett, Baum, Bower, of Ridgers, Brown, Bruce, Bunn, Byrd, Forbis, Fulton, Green, of Franklin, Hardy, Harris, of Wake, Holt, Holton, Houston, King, Lawrence, Leazar, Lenoir, McAllister, McCotter, McCurry, McCloud, Marsh, of Itheson, Overman, Patrick, Peebles, Phillips, Posey, Powers, of Cumberland, Ray, Reid, of Gaston, Reynolds, Riggs, Simmons, Stanford, Strudwick, Tate, Thompson, Tomlins, Turner, Wood.—43.

NAYS.—Messrs. Anderson, Bennett, Bledsoe, Bradley, Bryan, Cain, Candler, Cheek, Frazier, Grissett, Gudger, Hamilton, Harris, of Davidson, Hayes, of Robeson, Hayes, of Swain, Henderson, Landreth, Leary, Liles, Lineback, Mitchell, Newby, Newell, Person, Reade, of Person, Robins, Sandifer, Speller, Steed, Stokes, Stringfield, Sutton, Temple, Waddell, Walker, Wilcox.—37.

Mr. Bledsoe raised the point that it took a two-thirds vote to reconsider a vote to lay on the table, and was decided out of order.

Mr. Ray's motion, making the bill the special order for 11 o'clock Thursday, was then adopted.

To amend the mechanics' lien law, informally passed over.

To regulate the sale of liquor in Northampton county, passed its third reading.

To amend the law allowing the bank of Greensboro to wind up its business, passed its third reading.

To amend chap. 292, laws of 1881, tabled.

To change the line between Liberty and Forbush townships, in Yadkin county. Passed its third reading.

To repeal all laws prohibiting fishing in the river, in Caldwell county. Passed

its third reading.

To repeal chapter 255, laws 1874-75. Tabled.

To protect game and birds in Granville county. Informally passed over.

To authorize the commissioners of Moore county to levy a special tax. Passed its third reading and ordered to be enrolled.

To repeal the local prohibition law in Germantown. Informally passed over.

To amend section 26, chapter 116, laws 1881. Passed its third reading and ordered to be enrolled.

To repeal chapter 344, laws 1881. Passed its third reading and ordered to be enrolled.

Senate resolution to raise a joint committee on fish interests. Concurred in.

To incorporate the town of Germantown. Passed its second reading.

To protect sheep and other domestic animals in the county of Madison. Indefinitely postponed.

Resolution of thanks to Rev. Dr. J. L. W. Currie. Adopted.

MESSAGES.

A message was received from the Senate informing the House that the Senate had passed the following bills:

Resolutions requesting our members of Congress to have the money collected from citizens of this State by district taxation in 1865, returned.

To make the February and August terms of Wake Superior Court for the trial of civil cases exclusively.

For the better drainage of certain land in Davidson county.

To incorporate the Southern Oil Company.

Concerning the vacancy in the Third Congressional district.

CALENDAR—RESUMED.

Bill concerning vacancy in the third Congressional district. Passed its third reading.

Resolution in favor of Confederate soldiers who lost limbs, &c., in the late war. Informally passed over.

Leave of absence was granted to Mr. Pitman.

On motion of Mr. Ray the House adjourned.

SENATE.

EIGHTEENTH DAY.

TUESDAY, January 23.

The Senate was called to order at 11 o'clock by President Robinson.

Prayer by Rev. E. A. Yates, of the Methodist church.

The reading of the journal of yesterday was omitted.

PETITIONS.

Mr. Evans presented a petition from the citizens of Caswell county, asking the repeal of the license tax. Referred to the committee on finance.

Mr. Battle, petition of citizens of Enfield township, in Halifax county, in regard to the appointment of magistrates in that township. Referred to the committee on justices of the peace.

Mr. Hampton, petition of citizens of Deep Creek township, in Yadkin county, asking for the appointment of W. H. Brannon as a justice of the peace for said township. Referred to the committee on justices of the peace.

Mr. Ebbs, petition from citizens of Madison county, in regard to the sale of liquor in certain sections of said county.

REPORTS.

The following committees made reports:

Propositions and grievances, by Messrs. Womack, Costner, Cozart, Berry, Speight, Battle.

Engrossed bills, by Mr. Farmer as follows:

Bill to provide proper compensation for witnesses attending justices' courts.

Bill to incorporate the Rich Knob Copper Company.

Bill to amend section 20, chapter 65, Battle's Revisal, relating to enforcement of agricultural liens.

Bill to amend section 38, chapter 193, of laws of 1871-72, concerning alimony.

Enrolled bills, by Mr. Pemberton as follows, which were signed by the President:

An act to authorize the President of the Senate and the Speaker of the House of Representatives to administer oaths in certain cases.

Act to repeal the local prohibition laws of the town of Hendersonville, in Henderson county.

Act for the relief of the administrator of the estate of A. McCallum, deceased, late sheriff of Columbus county.

Act to amend section 1, chapter 3, of the private laws of 1876-77.

Act to amend an act entitled an act to amend chapter twenty-seven, section 15, Battle's Revisal, being chapter 318 of the public laws of 1881.

Act to repeal chapter 62, private laws of 1881, entitled an act to amend the charter of the town of Plymouth, Washington county.

Act to amend chapter 234 of the laws of 1881.

Act to levy a special tax for the county of Jones.

Act to amend chapter 173, laws of 1881.

MESSAGES.

An act to authorize the registration of the bonds of this State and to provide the means therefor, and for other purposes.

Act to incorporate the coast turnpike company.

Act to repeal chapter 147, of the laws of 1881, and to regulate pilotage.

An act to incorporate Newton cotton

mills in Catawba county.

Messages were received from the House announcing the passage of the following bills:

Bill to amend an act to make the killing of live stock by the cars and engines running on railroads in this State indictable.

Bill to repeal the laws prohibiting fishing in the Yadkin river in Caldwell county.

Bill to restore the burnt records and bills in Cabarrus county.

Bill to amend an act to allow the Bank of Greensboro time to wind up its business.

Bill to amend chapter 260 of the laws of 1876-'77.

Bill to amend chapter 13, of the laws of the special session of 1880.

BILLS AND RESOLUTIONS

were introduced as follows:

Mr. Linney, bill to amend section 2, article 9, of the constitution in regard to the distribution of money collected for school purposes, allowing the school tax money paid by the white race to go towards paying for the education of white children, and taxes paid by the colored race to go towards the education of children of their race. Referred to judiciary committee.

The following bill was introduced by Mr. Ebbs:

AN ACT MAKING IT PROFITABLE TO THE STATE AND RESPECTABLE FOR PARTIES TO ENGAGE IN THE SALE OF PISTOLS AND OTHER DEADLY WEAPONS.

The General Assembly of North Carolina do enact:

SECTION 1. That every merchant, jeweler, grocer, druggist and every other dealer who shall buy or sell goods, wares and merchandise of any kind whatever in the State, who shall sell, or offer, or keep for sale, or shall give, or offer to give by any shift or subterfuge any revolver, toy pistol or any deadly weapon, the carrying and concealing of which is unlawful, shall pay to the State a license tax of two hundred and fifty dollars annually.

SEC. 2. That any such dealer who shall sell or offer for sale, or give or offer to give by any shift or subterfuge, any such weapons or instruments without paying the said license tax as provided by law, shall be guilty of a misdemeanor, and upon conviction of the same be fined and punished in the discretion of the court.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Mr. Ebbs, bill in regard to the sale of liquor in certain localities in Madison county.

Mr. McLean, to amend and consolidate the acts incorporating the town of Lumberton. Referred to the committee on corporations.

Mr. Evans, bill to authorize the treasurer of Caswell county to pay certain claims. Referred to the finance committee.

Mr. Loftin, bill to repeal the license tax on liquor dealers. Referred to the committee on propositions and grievances.

By the same, bill to amend chapter 116, laws of 1881.

CALENDAR.

The resolution introduced by Mr. Dortch yesterday requiring the Senate to meet at 10 o'clock a. m., instead of 11 o'clock, was read and adopted.

House bill to pay L. C. Hartin \$50 for teaching school in Wilkes county, passed its third reading and was ordered enrolled.

Bill in regard to cotton weighers in Enfield and Weldon, Halifax county, was amended and passed.

Bill in regard to sale of liquor on Sunday was taken from the calendar for consideration.

Mr. Womack said as the law now stands liquor dealers were not allowed to sell on Sunday, and that the object of the present bill was to prevent the giving away of liquor on Sunday.

Mr. Morehead favored the bill and said he thought it would do a great deal of good in the way of preventing the subterfuge of giving away liquor on Sunday, for it was a very easy matter now for the barkeeper to give drinks on Sunday and to step around Monday and get pay for them. This bill would have the effect of keeping the bar-rooms entirely closed on Sunday, as they should be, and it ought to pass.

Mr. Loftin moved to table the bill.

Mr. Morehead called for the ayes and nays; the call was sustained, and the motion to table was lost by 27 to 15 votes.

Upon motion of Mr. Watson, the bill was referred to the judiciary committee.

Bill to restore to attorneys-at-law their fees in civil cases, the special order for 12 o'clock, was put upon its third reading.

Mr. Morehead offered a substitute, which in effect accomplished the same, but was worded differently.

Mr. Loftin said he hoped the substitute would pass. He had heard only one reason advanced against it and that was that it would hurt the Democrat party; if this was the only objection that could be brought against it that it certainly should pass.

Mr. Strayhorn argued that it would afford considerable relief to the judiciary and for that reason, if nothing else, he would favor it.

Mr. Watson favored it.

Mr. King, of Cherokee, could see no just reasons why it should pass and opposed it.

Mr. Battle opposed it because he thought it was wrong.

Mr. Pinnix said he was in favor of the bill from principle. In all cases where two

parties went to law one was in fault and he believed it to be right that the one in fault should pay the cost. If one man unjustly brings his neighbor into court he should and ought to pay for the trouble he gives his neighbor. This, he thought, was the gist of the whole matter in a nutshell.

Mr. Morehead argued that this bill if passed would have a tendency to keep many small cases from the Superior and Supreme courts and stop them where they should stop, for many cases are carried to the Supreme Court merely to get an extension of time; and that many of these cases are carried there to freeze off the poor people who are not able to employ lawyers to appear for them there. If this bill is passed the poor man will have a chance before the Supreme Court to what he has now, for then there would always be some resident lawyer here who would argue the case before the Supreme Court and take his chances to get the fee of fifteen dollars.

Mr. Pemberton said: He had not intended to have a word to say upon this subject. Would favor the passage of the bill on entirely different grounds from any yet presented to the Senate by the friends of the bill. It is not often that our forefathers have been justly accused of a want of wisdom. You do not hear a man say our forefathers were fools, and they put this law upon our statute books, and its sole object was to indemnify parties who were compelled to sue in the courts of the country for a redress of their grievances. The tendency of legislation of late years has been to discourage the payment of honest debts, everything for the debtor class, nothing for the creditor class. This encourages dishonesty and caused neighbors to lose confidence in each other. At least eight-tenths of the cases in our courts were on plain bonds or notes of hand, and when a man was compelled to sue on such a cause he ought to have all his money and be indemnified in his costs. It is for the benefit of this class of citizens that this law ought to be enacted.

Mr. Battle moved to table the bill.

Mr. Morehead called for the ayes and nays.

The call was sustained and the motion to table did not prevail—16 to 23 votes.

The substitute was adopted and the bill passed its third reading and was ordered engrossed.

House bill concerning Big Swamp in Bladen county, upon motion of Mr. Loftin, was tabled.

Bill to amend the law of divorce, upon motion of Mr. Morehead was postponed.

Bill to amend section 20, chapter 200, laws of 1881, upon motion of Mr. Morehead was informally passed over.

Bill to amend chapter 216, laws of 1876-77, relating to judicial sales passed its second

and third reading, and was ordered to be engrossed.

Bill to fix the time of punishment according to value of property stolen, was upon motion of Mr. Costner, placed upon the table.

House bill to amend section 3, chapter 84, laws of 1879, was put upon its second reading.

Mr. Boykin explained that the effect of this bill was to aid in draining Muddy creek, in McDowell county, and that it was purely a local matter.

The bill passed its second and third readings, and was ordered to be engrossed.

House bill concerning the report of the Supreme Court, upon motion of Mr. Loftin, was placed upon the table.

Bill in regard to the dividing line between Craven and Carteret counties was informally passed over.

House bill to amend chapter 63 of Felt's Revisal, was upon motion of Mr. Purnell placed upon the table.

Bill to ascertain and establish the dividing line between Harnett and Johnson counties was informally passed over.

Bill to authorize the Auditor of the State to draw all warrants for the payment of money, passed its second and third reading and was ordered engrossed.

House bill to incorporate the Brown Mountain Mining and Manufacturing Company, after being amended passed its second and third readings and the amendment was ordered engrossed and sent to the House for concurrence.

Bill for the relief of the sureties of K. H. Winstead, late sheriff of Wilson county was, at the suggestion of Mr. Farmer, postponed until to-morrow.

Bill to amend chapter 15, laws of 1880 was, upon motion of Mr. Boykin, recommended to the judiciary committee.

Bill in relation to Granville county was, upon motion of Mr. Cozart, passed over informally.

Bill to amend chapter 173, laws of 1881, passed its second and third readings.

Bill to establish the dividing line between Northampton and Warren counties passed and ordered engrossed.

Bill in regard to the repeal of the corporate powers of the town of Chabanesville, upon motion of Mr. Strayhorn was tabled.

Bill to amend chapter 141, laws 1876-77, in regard to the office of county treasurer, was taken up for consideration.

Mr. McLean explained that the chapter referred to above gave the county commissioners power to abolish the office of treasurer and place the duties of that officer upon the sheriff, and that the effect of the pending bill was to give the commissioners power to pay him for this service in such cases as much as 1 1-2 per cent.

Mr. Webb said that the commissioners of Cleveland county had decided that they had no right under the existing laws to pay the sheriff anything for discharging the duties of treasurer, and that as this would settle a disputed question he was in favor of it.

r. Battle sent forward an amendment making the pay 21-2 per cent. instead of 11-2 per cent.

r. Scott, of Rockingham, thought that to pass this bill would have a tendency to cause commissioners of more counties to abolish the office of treasurer, and if it had this effect he would oppose it, for he thought the office should be abolished in no county, for the treasurer always stood as a balance-wheel to the county machinery, and in many cases was doubtless the means of preventing many frauds practiced upon the people.

Upon motion of Mr. Loftin the bill and amendment were recommitted to the judiciary committee.

Resolution of instruction to our Senators and Representatives in Congress was adopted.

Bill to allow the commissioners of Cherokee county to issue bonds, passed its second reading under roll call, only Messrs. Cozart and Purnell, voting against it.

r. Dortch announced that Mr. Richardson, of Johnson, had been called home on account of the death of a friend, and asked leave of absence, which was granted.

Upon motion of r. Strayhorn the Senate adjourned to meet to-morrow at 10 o'clock.

HOUSE OF REPRESENTATIVES.

The House was called to order by Speaker Rose at 10 o'clock.

Prayer by Rev. Dr. E. A. Yates, of Edenton Street Methodist church of this city.

The reading of the journal of yesterday was dispensed with and it stood approved.

PETITIONS.

By Mr. Lenoir, relative to the appointment of justices of the peace.

By Mr. Holt, relative to the appointment of justices of the peace.

By Mr. Leazar, from citizens of Statesville in regard to local prohibition.

By Mr. Tomlin, from the same in regard to the same.

By Mr. Frazier, relative to the appointment of justices of the peace.

By Mr. Matheson, a petition asking that the sale of liquor be prohibited within three miles of Elk Sheds Presbyterian church.

By Mr. Worthington, asking that the town of Palmyra be incorporated.

By Mr. Thompson, relative to the appointment of justices of the peace; relative to having a road cut by convict labor.

By Mr. Candier, relative to the appointment of justices of the peace.

Mr. Lineback, a petition asking the formation of a new county.

Mr. Sherrill, asking that Wesley Chapel Camp Ground be incorporated.

Mr. Peebles, relative to the appointment of justices of the peace.

REPORTS OF COMMITTEES.

The following committees reported on the following bills:

Finance—To authorize the commissioners of Halifax county to fund its floating debt.

Resolution instructing our members in Congress to endeavor to have the money collected by direct taxation from the citizens of this State in 1865, returned. An act for the relief of the sheriffs of the State.

Corporations—To incorporate Bright Light Gold Mining Company.

To incorporate the Loftin Silver and Lead Mining Company.

To incorporate Philadelphia Presbyterian church, colored, in Gaston county.

To incorporate the town of Piaway.

To incorporate Winton Lodge.

To incorporate the Mikado Gold Mining Company.

To incorporate the Co-operative Colonization Society.

Relating to making the February and August terms of Wake Superior Court for the trial of civil causes exclusively.

To amend chapter 143, laws of 1876-7.

To authorize the granting of injunction orders by telegraph.

Relating to the duties of justices of the peace and county commissioners.

To repeal the act regulating official advertising.

ENROLLED BILLS.

The following bills were reported as properly enrolled:

To repeal the local prohibition law of Hendersonville, Henderson county.

For the relief of the administrator of A. McCallum, deceased.

To repeal the act amending the charter of the town of Plymouth.

To levy a special tax for the county of Jones.

To authorize the registration of the bonds of the State.

To incorporate the Coast Turnpike Company.

To regulate pilotage.

To incorporate the Newton cotton mills.

To authorize the President of the Senate and Speaker of the House to administer oaths in certain cases.

RESOLUTIONS.

Mr. Bower, resolution of Instruction to our members in Congress in reference to the pension law.

BILLS.

The following bills were introduced, passed their first reading and were referred.

Mr. Poe, to amend the election law.

r. Lenoir, to change part of the line be-

tween the counties of Watauga and Caldwell.

Relating to the Caldwell and Watauga Turnpike Company.

r. Lineback, to lay off and establish a new county by the name of Linville.

Mr. Patrick, relating to the probate of deeds when the grantor, maker or subscribing witness resides out of this State.

r. McLoud, to protect the estates of deceased persons and lunatics.

r. Fulton, to amend chapter 200, laws of 1881.

r. Smith, to provide for the election of the mayor of the town of Goldsboro by the qualified electors.

Mr. Bridgers, to have one-third of the magistrates to be appointed by this Legislature Republican.

Mr. Lenoir, relating to working the public roads in Watauga county.

Mr. Biggs, an act to protect oysters, fish, &c.

Mr. Bailey, of Mecklenburg, concerning the railroads in this State.

Mr. Williams, of Granville, to incorporate Horner's school at Oxford. Corporations.

Mr. Haye's of Robeson, to amend the charter of the town of Shoe Heel. Propositions and grievances.

r. Strudwick, to incorporate the Blackwell Durham Tobacco Company. Calendar.

Mr. Powers, of Cumberland, for the relief of W. J. Sutton, sheriff of Waden county. Propositions and grievances.

r. Bunn, to allow the commissioners of Nash county to borrow money and to levy a special tax to pay it. Calendar.

Under a suspension of the rules, the following bills were taken up and disposed of as follows:

Senate amendment to the act for the relief of sheriffs. Concurred in.

On motion of r. Standford the vote was reconsidered which laid upon the table the bill for the protection of sheep, &c., in Madison county, and the bill then passed its second reading and was referred to the judiciary committee.

To incorporate the Southern Ore Company. Third reading, and ordered to be enrolled.

CALENDAR.

To protect game and birds in Granville county. Tabled.

SPECIAL ORDER.

The special order for this hour being the bill to punish embezzlement by attorneys-at-law, the substitute offered by the committee, was then taken up.

Mr. Bailey, of Mecklenburg, was opposed to the substitute, and in favor of the original bill because he did not think the substitute fully met the case, but was defective in that it provided that after three years a dishonest lawyer could plead the statute of limitations as a bar to the action

of a client whom he had defrauded, and that to carry it into effect it would necessitate two actions whereas the original bill would only require one. That by the substitute the client who was defrauded can alone institute proceedings against the attorney who has defrauded him, and then his action has to be predicated on a judgment rendered, and that it contains no provisions in it by which the world could be warned by publishing such dishonest lawyer to the world. That he was in favor of the original bill, because it affords a sure and immediate redress.

r. Peebles was in favor of the substitute because the remedy given by the substitute was entirely ample for any client who might be injured, and it at the same time protected all honest attorneys, which the bill did not do, and besides he did not see the use of encumbering the statutes with a long law when two words would supply the remedy. That the bill would defeat its own object by letting out many dishonest, while the substitute would secure the punishment of all.

r. McLoud was in favor of the substitute because it afforded ample provisions for the protection of honest and the punishment of dishonest attorneys. He was opposed to the original bill because he did not want the statutes incumbered and thereby have it go out to the Union that North Carolina lawyers were more dishonest than they were in other places; that the substitute accomplished in two steps, so to speak, what the bill traveled a mile to do.

This question was further discussed by Messrs. Bower, Bunn, Sherrill, Robins and Page.

The substitute was adopted by a vote of 58 to 44.

The bill as amended by the substitute then passed it several readings.

Leave of absence was granted to Messrs. Barrett and Pruitt.

MESSAGES.

A message was received informing the House that the Senate had passed the following bills:

To provide for the compensation of witnesses before justices of the peace.

To incorporate the Rich Knob Copper Mining Company.

To amend the law relating to agricultural liens.

CALENDAR (resumed.)

To incorporate lackwell's Durham Tobacco Company, passed its third reading.

To incorporate the Rich Knob Mining Company, passed its third reading.

To make February and August term of Wake superior court exclusively for the trial of civil causes.

On motion of Mr. Harris, of Wake, it was made the special order to-morrow for 11 o'clock.

Mr. Overman was excused from serving on the committee on privileges and elections, and Mr. Standford appointed in his place.

Mr. Riggs was excused from serving on the committee on education, and Mr. Phillips was appointed in his place.

An act to establish Roanoke township in Halifax county, referred.

The hour for adjournment having arrived the House adjourned.

SENATE.

NINETEENTH DAY.

WEDNESDAY, January 24, 1883.

Senate called to order at 10 o'clock by President Robinson.

Prayer by the Rev. Dr. Skinner, pastor of Salisbury street Baptist Church of this city.

The reading of the journal of yesterday was omitted.

PETITIONS.

The following petitions were presented:

Mr. Pool, petition of the citizens of Beaufort county, in regard to fishing in Pamlico and Tar rivers. Referred to the committee on fish interests.

Mr. Toon, a petition from one hundred citizens of Robeson county asking that the sale of liquor be prohibited within four miles of Mt. Olive Church in Robeson county.

Mr. Webb, petition of the citizens of No. 2 township, Cleveland county, in regard to the appointment of justices of the peace in said township. Referred to the committee on justices of the peace.

Mr. Lyon, petition of citizens of Bladen county, asking relief for Duncan Cromartie, late treasurer of said county.

Mr. Hill, petition from people of Duplin county, asking that F. S. Watson be appointed justice of the peace.

Mr. Ebbs, petition in regard to the appointment of justices of the peace in No. 8 township, Madison county. Referred to committee on appointment of justices of the peace.

Mr. Hill, petition of citizens of Kenansville, Duplin county, asking the appointment of G. W. Carroll as a justice of the peace. Referred to committee on justices of the peace.

Mr. Loftin, petition of 300 citizens of Lenoir, asking that no stock law be enacted for said county. To committee on propositions and grievances.

Mr. Scott, of Rockingham, a petition from the merchants and manufacturers of Leaksville, asking for repeal of the tax on goods manufactured by themselves.

By the same, a petition from citizens of Reidsville asking the repeal of the tax now imposed upon the manufacture of their own goods.

REPORTS.

The following committees made reports: Judiciary committee, by Messrs. Womack, Pemberton, Loftin, Black, Strayhorn, Boykin, McLean and Pinnix.

Finance, by Messrs. Ramsay and Alexander.

Propositions and grievances, by Mr. Battle.

Internal improvements, by Mr. Scott, of New Hanover.

Engrossed bills, by Mr. Farmer.

Mr. Lovill rose to a question of personal privilege, and said that some days ago there was introduced in the Senate and passed under a suspension of the rules a bill conferring large corporate powers upon a company in Ashe county, known as the Rich Knob Copper Company, without intimating the matter to him. The locality of the company was not even revealed, as the reading of the bill was dispensed with. He said he was sorry that he could not appreciate the kindness of the Senator, (whoever he was) as shown in the affairs of his district, and that if that is the measure of courtesy due from one Senator upon the floor, he was very glad to be advised of it.

BILLS INTRODUCED.

Mr. Lovill, to provide for the election of school committeemen by the people.

Mr. Dotson, to amend chapter 127, laws of 1879.

Mr. Lyon, to ascertain and liquidate the debt of Bladen county.

By the same, for the relief of Duncan Cromartie, late treasurer of Bladen county.

By the same, to provide for the draining of swamp lands in Bladen and other counties.

Mr. Battle, in regard to the Quarantine Hospital in Brunswick county.

Mr. Toon, a resolution in regard to the apportionment of the school funds for the two races.

MESSAGES.

Messages were received from the House of Representatives announcing the passage of the following bills and resolution:

Bill to punish attorneys who commit fraud.

Bill to incorporate the Blackwell Durham Tobacco Company.

Bill to regulate the sale of spirituous liquors in Northampton county.

Bill to disqualify certain persons from giving evidence on judgment rendered, and bonds executed prior to August 1, 1868.

Bill to amend chapter 25, private laws of 1876-77.

Bill for the relief of the sheriffs of the State.

Resolution of thanks to Rev. Dr. J. L. M. Curry for his able and eloquent address.

CALENDAR.

Bill to authorize the commissioners of Cherokee county to levy a special tax

passed its third reading under roll call, Messrs. Cozart and Purnell voting in the negative.

Bill to amend the law of divorce was taken from the calendar for consideration.

Several amendments were offered and the bill discussed at length by Messrs. Payne, Scott, of Rockingham, orehead, Watson, Linney, Womack, Jones and Boykin. Bill failed to pass its second reading. Motion was made to reconsider the vote by which the bill failed to pass, which motion was laid upon the table.

Bill for the relief of K. H. Winstead, late Sheriff* of Wilson county, the special order for 12 o'clock, was called and passed its several readings.

Upon motion of Mr. Strayhorn, the bill to incorporate the Blackwell Durham Tobacco Company was taken up for consideration. He stated that as this bill was of considerable importance, it should be passed at once; that the company had suspended operations until the organization was fully made by this bill of incorporation; that there were about 700 hands now idle awaiting the passage of this bill, and that as it was passed by the House, after being carefully examined by the committee on corporations there, and as there was no power granted in this more than there should be, there would no impropriety in passing it at once.

The bill passed its second and third readings and was ordered enrolled.

CALENDAR.

Bill to amend chapter 53, laws of 1881, passed its second and third readings.

Bill to incorporate the Rutherford Railway Company. The committee on corporations submitted several amendments, which were accepted by Mr. Eaves, the introducer. The bill passed its second reading under roll call—all the votes cast were for the bill except one—Mr. Purnell voting against it.

Bill authorizing the commissioners of Granville county to levy a special tax, was taken up for consideration.

Mr. Cozart offered an amendment submitting the bill to the voters of Granville county.

Upon motion of Mr. Pemberton it was referred to the committee on finance.

Bill to make it a misdemeanor to go faster than a walk over Washington, Aurora and Leaksville bridges, passed and was ordered engrossed.

Bill authorizing judges going out of office to perform certain functions, passed and was ordered enrolled.

Upon motion of Mr. Dortch the vote by which this bill passed its final reading was reconsidered, and the bill was referred to the judiciary committee.

Bill authorizing Lemuel Hartley to collect arrears of taxes was, upon motion of

Mr. Scott, of New Hanover, placed upon the table.

Bill to incorporate the Highland Railway Company passed, and was ordered enrolled.

Bill to pay registrars and judges of election and boards of canvassers for their services was put on its second reading.

The committee on finance submitted a substitute which allows these officers the same pay as jurors of the Superior Court.

Mr. Clarke was in favor of the bill but oppose to the substitute, is said that no one but those who could read and write should be allowed to serve as judges or inspectors of election.

Mr. Pool—Does the Senator from Craven desire to disfranchise a large proportion of his party from serving in this capacity?

Mr. Clarke—Yes, sir, I believe that no one should occupy this place unless he is able to read and write, and I think the law should compel this to be the case as far as practicable.

Mr. Pool—Do you think it would be constitutional to provide that none but those who can read and write should hold these places?

Mr. Pemberton—The law requires that the judges shall be taken from different parties; and up in our section I tell you it would be very hard sometimes to find Republicans who can read and write to represent their side. I don't see that there should be much fuss made about this any way, for the Republicans generally have a man who can read stationed behind the barn to give out the ticket and then the voter who casts it walks right up to the polls already armed.

Mr. Mebane, colored: Does the Senator propose to put judges at the boxes who are not able to read the election law?

Mr. Pemberton: I do not propose to do anything about it. This is a matter for the county commissioners to look after.

Mr. Alexander: The main reason the finance committee recommended the amendment was because in different counties the pay of jurors is different, and as the pay of jurors is more in counties where there would be more work on election days I thought this would equalize the pay about right.

Mr. Dortch opposed an increase of county expenses and moved to table.

Mr. Clarke called for the ayes and noes, which was sustained. The vote to table prevailed, 30 to 18.

Bill to incorporate the Charlotte Street Railway Company passed and was ordered enrolled.

Bill to amend the law of killing stock by railroads was taken up.

Several amendments were sent forward and the bill was discussed by several Senators at length, and was finally referred to committee on propositions and

grievances.

Bill for the relief of clerks of Superior Court was put upon its second reading and upon motion of Mr. Jones was referred with all amendments to judiciary committee.

At the request of Mr. Pemberton, Messrs. Strayhorn and Hill were added to the committee on education.

At the request of Mr. Watson, Messrs. Linney, Strayhorn and Scott, of Rockingham, were added to the committee on internal improvements.

Upon motion of Mr. Lovill, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

At 10 o'clock Speaker Rose called the House to order.

Prayer by the Rev. Dr. Skinner of Salisbury Street Baptist church of this city.

PETITIONS.

Petitions relating to the appointment of justices were presented by Messrs. Posey, Candler, Tomlin and Cheek.

REPORTS OF COMMITTEES.

The following committees reported favorably upon the following bills:

Judiciary—Bill making it a misdemeanor to mutilate notices, signs and advertisements.

To amend section 369 of the original Code of Civil Procedure.

To provide proper compensation for witnesses before justices of the peace.

An act concerning the railroads of this State. Unfavorably to the bill regulating divorce, and the following minority report was submitted:

[Bill making adultery in either party ground for divorce from bonds of matrimony.]

Messrs. Bailey, of Wecklenburg, and McLoud presented the following minority report.

Undersigned by leave respectfully report that they feel obliged to differ from the report of the majority of the committee and believe that the bill ought to pass.

Woman during the dark ages of the world was treated as a slave and a toy, but in consideration of the advance in our civilization she has become our equal in all things and our superior in many, and she ought to be entitled to have the marriage vows enforced in her favor, with like force and effect as the husband has.

Further reasons will be advanced in debate.

W. H. BAILEY, Chm'n.

— McLoud.

Propositions and Grievances—To amend the charter of the town of Shoe Heel: To repeal section 3, chapter 240, laws 1874-75.

Corporations—To provide for the election by the people of the mayor of Goldsboro. To incorporate Horner's School. To

amend the charter of the town of Hendersonville. To incorporate the town of Pate's.

BILLS.

The following bills were introduced, passed their first reading and were referred:

Mr. Hardy, concerning pilots and pilotage.

Mr. Stringfield, to prohibit the sale or giving away of liquor within one mile of any church or school house in this State.

Mr. Bridgers, for the better protection of children losing their parents by natural death in the State's prison.

Mr. Reid, of Gaston, changing the time of holding the Superior Courts in the counties of Gaston, Cleveland, Rutherford and Polk.

Mr. Overman, to facilitate the trial of civil causes in the Superior Courts of this State.

r. Poe, relating to actions at law.

Mr. Bailey, of Wecklenburg, to amend section 301, chapter 17, of Battle's Revisal.

r. Temple, requiring executors to give bond. To regulate the manner of drawing jurors.

r. Patrick, to prevent the obstructions to fish in Scuppernon River.

Mr. Riggs, to repeal the act prohibiting the use of drift nets in certain waters of the State.

Mr. Stokes, to amend the law to provide the levying and collection of taxes,

Mr. Hardy, to amend chapter 43, laws of 1876-77, and chapter 84, laws of 1881.

Mr. Forbis, to amend the public school law.

Mr. Bailey, of Wilson, to repeal chapter 1, laws of 1881.

Mr. Bower, to increase the number of justices of the peace.

Mr. Robins, to incorporate the High Point and Randleman Railroad Company.

On motion of Mr. McCotter, the rules were suspended, and the resolution offering a reward for W. J. Munden was put on its passage.

Mr. Nixon said that it had already cost his county \$390 to convict Munden of stealing a buggy blanket, and that they were now rid of him, and if a reward was offered some one would catch him and bring him back, which the people of his county did not want, and therefore he moved to lay the resolution on the table. The motion to table prevailed.

On motion of Mr. Page the vote to lay on the table was reconsidered, and that motion laid upon the table.

CALENDAR.

The following bills were taken up on their third reading and disposed of as follows:

To prevent the running at large of live stock in the counties of Greene and Lenoir.

Mr. Standford moved to amend by striking out the amendment to submit to a vote of the people, and stated that the gentleman who represented Lenoir county ran

on that issue and was elected, and that he was supposed to know what his people wanted.

Mr. Page stated that he lived near that section of country, and that the citizens of both political parties wished this law, and he thought it ought to be passed without submitting it to a vote of the people.

Mr. Dixon, as an individual, opposed the law, but the people in that section wished it and he hoped it would pass.

Mr. Bledsoe said that it was the first time he ever heard both Democrats and Republicans advocate a minority that if a majority of the people wanted this law why not let them vote for it. He was satisfied that no man who advocated a minority rule would ever be governor of this State.

Mr. Holt was opposed to the minority ruling, but it having been made an issue in the campaign in the county of Lenoir and the representative from that county having been elected on that issue, he regarded it as a sufficient indication of the will of the majority, particularly as it was a Republican county and had sent a Democrat to represent it on that issue. He therefore favored the amendment of Mr. Standford.

Mr. Bunn did not speak to the merits of bill, but to the amendment proposed: he was in favor of Mr. Standford's amendment, because if the provision to submit remained it would in effect kill the bill.

Mr. Bledsoe called for the ayes and nays on the amendment, and the call was sustained.

The vote on the amendment to strike out the part submitting to the people was as follows:

YEAS.—Messrs. Abbott, Anderson, Bailey of Becklenburg, Bailey of Wilson, Baum, Beale, Bennett, Bower, Brown, Bunn, Byrd, Crouse, Cowell, Forbis, Frazier, Fulton, Gatling, Glenn, Green of Franklia, Gudger, Hardy, Harris of Davidson, Hayes of Swain, Holt, Houston, Johnson of Johnson, King, Lawrence, Leazar, Liles, McAllister, McCotter, McCurry, McLoud, Marsh, Matheson, Myers, Newby, Nixon, Overman, Page, Patrick, Peebles, Person, Posey, Ray, Reid of Gaston, Reynolds, Riggs, Robins, Sandifer, Sherrill, Simmons, Stanford, Steed, Stewart, Stokes, Stringfield, Strudwick, Sutton, Tate, Tomlins, Turner, Walker, Williams of Granville, Williams of Sampson, Williamson, Wilson, Wood and Worthington—70.

NAYS.—Messrs. Baker, Ball, Belcher, Bledsoe, Bradley, Bridgers, Bruce, Bryan, Cain, Candler, Covington, Cheek, Eaton, Green of New Hanover, Grissett, Hamilton, Harrison, Harris of Wake, Henderson, Hewlin, Jenkins, Johnson of Raven, Landreth, Leary, Lenoir, Lineback, Mitchell, Montgomery, Newell, Philips, Poe, Powers of Cumberland, Reade of Person, Speller,

Temple, Thompson, Waddell and Wilcox.—38.

The bill as amended then passed.

On motion of Mr. Standford, the vote by which the bill passed was reconsidered, and that motion laid upon the table.

To incorporate the Narrows Island Club. Passed.

To incorporate the town of Trenton. Passed.

To regulate official advertising. Passed.

BILLS ON THEIR SECOND READING.

To provide for the better protection of election returns. Tabled.

Substitute for an act in regard to the mechanics lien law. Tabled.

The rules were suspended, and Mr. McLoud introduced a bill relating to the mechanics lien law, which was put on its passage, and passed its several readings.

To authorize the granting of injunction orders and certain State warrants by telegraph. Passed its third reading.

To prevent the placing of portable steam engines within two hundred feet of the public highways. Tabled.

To amend the act incorporating Biddle University. Informally passed.

To authorize the Virginia and Carolina Railroad Company to extend their line into this State. Informally passed over.

To regulate transcripts on appeals. Re-committed.

SPECIAL ORDER.

The following having been made the special order for this hour, was taken up and passed its third reading and was ordered to be enrolled.

An act to make February and August terms of Wake Superior Court for the trial of civil causes exclusively.

CALENDAR (resumed.)

To enable the county commissioners of Warren county to regulate the bonds of their county officers. Referred.

For the relief of W. J. Sutton, sheriff of Bladen county, passed its third reading.

To attach a portion of Craven county to Carteret. Informally passed over.

To incorporate the Philadelphia Presbyterian church, colored, passed third reading.

To incorporate the town of Piaway, passed second reading.

To amend chapter 260, laws 1876-77, and chapter 234, laws 1881. Passed its third reading.

To amend chapter 143, laws 1876-77. Passed its third reading.

To incorporate Winton Lodge of Free and Accepted Masons. Passed its third reading.

To protect innocent purchasers of personal property. Tabled.

Relating to the duties of magistrates and

county treasurers. Passed its third reading.

Relating to the stock law. Tabled.

To allow the commissioners of Nash county to borrow money. Passed its second reading.

To incorporate the Co-operative Colonization Society Teutonia.

Mr. Hayes, of Robeson, thought that in all acts of incorporation the personal liability clause should clearly bind the private property of the stockholders, and because the clause in this bill expressly exempted their private property he moved to amend by striking out that clause.

r. Holt thought that if it was passed with that amendment that it would kill the bill.

r. Robins thought that any bill which conferred as large powers as this ought to be understood, therefore he moved to informally pass over and print.

r. Lenoir moved to amend so as to make it subject to the law governing other railroads, which was adopted.

After being discussed by Messrs. Bailey, of Rockingham, Loud and Peebles, the House refused to print and passed the bill on its third reading.

To incorporate Horner's School. Passed its third reading.

To authorize the county of Halifax to fund its debt. Informally passed over.

MESSAGES.

A message was received informing the House that the Senate had passed the following bills:

Amendment to an act to incorporate the Brown Mountain Mining and Manufacturing Company.

To amend the law relative to judicial sales.

To amend the act relating to the appointment of cotton weighers for the town of Enfield.

To authorize the Auditor of State to draw all warrants on the Treasurer.

The hour for adjournment having arrived the House adjourned.

SENATE.

TWENTIETH DAY.

THURSDAY, January 25.

The Senate was called to order at 10 o'clock.

Prayer by Rev. Dr. J. W. Atkinson.

Leave of absence was granted Mr. Loftin until Tuesday.

PETITIONS

were presented as follows:

Mr. Clarke, from citizens of Newbern, protesting against an increase of taxation. Mr. Black, from citizens of Ben Salem township. Mr. Clarke, from the Board of Trade of Newbern, asking the repeal of the schedule "B" tax on merchants. Mr. Berry, from citizens of Burke, for the repeal

of the \$100 tax on the manufacture of tobacco and cigars. Mr. Webb, from citizens of Cleveland, asking that the sale of spirituous liquors be prohibited within three miles of Pleasant Hill Baptist church, and from citizens of Cleveland asking the same for school district No. 23, in that county. Mr. Clarke, from citizens of No. 8 township, Craven county, against the passage of a no-fence law. Mr. Scott, of New Hanover, against the passage of an act allowing the issue of bonds by the commissioners of that county; also from citizens of Pender county in regard to the bill authorizing the issue of bonds by that county; and from citizens of New Hanover county against the no fence law for that county. Mr. Webb, from citizens of Ruthersfordton, asking that the local option law be repealed.

COMMITTEE REPORTS

Were submitted as follows:

Salaries and Fees—By Mr. Woodhouse: Against bill regulating the fees of sheriffs and others. By Mr. Goodwyn—Favorably, bill to amend an act entitled salaries and fees.

Education—By Mr. Costner, favorably, bill to establish a graded school in Lumberton school district, No. 70, Robeson county.

Judiciary—By Mr. Black, against bill relieving Carteret county of sections 6 and 7, chapter 113, Battle's Revisal.

BILLS AND RESOLUTIONS

were introduced and referred as follows:

Mr. Ramsay, resolution to print a manual of reference for the use of the General Assembly.

Mr. Womack, bill to amend the divorce law.

Mr. Toon, to prohibit the sale of liquor in five miles of Mt. Olivet Methodist church, Robeson county.

r. Purnell, bill to repeal chapter 1, private laws of 1881, and to amend chapter 234, laws of 1881.

Mr. Webb, to make it indictable to fell trees in Muddy Fork creek, Cleveland county.

Mr. Payne, to authorize the Justices of the Supreme Court to employ an assistant librarian for the Supreme Court.

r. Pinnix, to incorporate the Big American Reduction Company.

r. Loftin, to incorporate Tammany Hall, at Kinston.

Mr. Toon, to incorporate the Wilmington, Chadbourn and Conwayboro Railroad Company.

The morning hour ended, the resolution to print a manual of reference for the use of the Assembly was taken up and failed to pass.

Messrs. Woodhouse, King of Pitt, and Clarke were appointed as the Senate branch of the committee on fish interests.

The following House bills were read the first time and referred:

For the relief of W. J. Sutton, sheriff of Bladen.

To incorporate Winton Lodge, A. F. & A. M., of Hertford county.

To prevent live stock from running at large in Greene and Lenoir.

To amend chapter 143, laws of 1876-77.

To amend chapter 260, laws of 1876-7, and chapter 234, laws of 1881.

To amend section 1, chapter 65, Battle's Revisal.

To incorporate the Horner School, at Oxford.

CALENDAR.

Bill to incorporate the Rutherford Railway Construction Company. Passed its third reading.

Bill to amend section 8, chapter 7, Battle's Revisal, so as to prohibit attorneys from practicing in any of the courts in the county wherein they hold the office of county commissioner, was taken up on its second reading.

It was discussed by Messrs. Womack, Morehead, Alexander, Dotson and Jones, passed its second reading, and was re-committed to the judiciary committee, with an amendment by Mr. Womack, as follows: "Provided that nothing herein contained shall prevent a justice of an inferior court from appearing in all cases except cases over which the Superior and Inferior Courts have concurrent jurisdiction."

Bill to repeal chapter 253, laws 1876-77. Tabled.

Bill to make the crime of assault with a deadly weapon with intent to kill, a felony, was tabled.

Bill to amend the charter of the Atlantic Coast Railway Company. Passed its second reading.

Bill for the protection of mechanics and laborers. Passed its second reading. It was discussed at length by Messrs. Watson, Boykin, Linney, Strayhorn, Morehead and Jones. It comes up on its third reading tomorrow.

House bill to prevent live stock from running at large in Greene and Lenoir counties, was made special order for next Wednesday.

Bill to repeal the act against selling or giving away liquor at places of public speaking, was discussed by Messrs. Scott of Rockingham, Hill, Dortch, Womack and Loftin. It was finally tabled.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 25, 1883.

At 10 o'clock Speaker Rose called the House to order.

Prayer by Rev. Dr. J. M. Atkinson of the Second Presbyterian Church of this city.

The reading of the journal was dispensed with and it stood approved.

PETITIONS.

Mr. Bunn, petition from Hyde county asking for the re-establishment of the old pilot law.

Mr. Hewlin, petition relative to the local option law in Halifax county.

Mr. Candler, petition relative to the appointment of justices of the peace.

Mr. Glenn, petitions of tobacco manufacturers of Wentworth and Reidsville.

Mr. Reid, of Gaston, petitions relative to the appointment of justices.

Mr. Wood, petition asking for an appropriation for the benefit of wounded Confederate soldiers.

Mr. Nixon, petition favoring the change of the corporate name of the Elizabeth City and Norfolk Railroad.

Mr. Cowell, petitions favoring the same.

Mr. Gatling, petitions opposing the change of the name of the Elizabeth City and Norfolk Railroad.

REPORTS OF COMMITTEES.

The following committees reported favorably upon the following bills:

Judiciary—To protect the estates of deceased persons, lunatics, &c. To pay witnesses before justices of the peace in criminal causes. To extend the time to redeem land sold for taxes. An act relative to the mechanics lien law. Substitute for an act for the better protection of crops in certain localities. To amend chapter 108, private laws of 1859. To repeal chapter 117, laws of 1879. To amend chapter 12, laws of 1868-69. To amend section 33, chapter 133, Battle's Revisal. Act changing the time of holding the courts of Gaston, Cleveland, Rutherford and Polk counties. To protect sheep in Madison county.

Corporations—To incorporate the St. John Maccabeus Society. Relative to the Caldwell Turnpike Company.

To amend the charter of the town of Clinton.

Propositions and Grievances—To amend chapter 83 of Battle's Revisal. Resolution relating to the pension law. Concerning pilots and pilotage. To amend the law appointing cotton weighers for the town of Enfield.

Railroads, Turnpikes, &c.—Relative to working the public roads of Watauga county.

BILLS.

The following bills were introduced and referred:

Mr. Simmons, to make it a misdemeanor to remove property under mortgage without first obtaining written permission.

Mr. Liles, to regulate allowance to contestants for seats in the General Assembly.

Mr. Crouse, to amend chapter 200, laws 1881.

Mr. Bunn, to amend chapter 4, laws 1881.

Mr. Sherrill, an act changing the number of jurors from five to three to lay off dower.

Mr. Hewlin, to amend section 5, chapter 234, laws 1881.

Mr. Bailey, of Mecklenburg, to authorize Judges of the Superior Courts to settle questions at chambers.

Mr. Tomlin, to submit the question of the sale of liquors to the voters of the town of Statesville.

Mr. Nixon, to prohibit fishing on Sunday.

Mr. Hardy, to provide for a survey of the State school lands in Carteret county.

Mr. Crouse, to incorporate the trustees of Burr's Chapel camp ground.

By Mr. Abbott, to incorporate the town of South Mills, in Camden county. ommittee on corporations.

By Mr. Cowell, to authorize the commissioners of Currituck county to levy a special tax, referred to the finance committee.

By Mr. Strudwick, for the promotion of female education.

By Mr. Page, to incorporate the Raleigh Mail Printing and Publishing Company.

By Mr. Sherrill, substitute for an act to incorporate the town of Maiden, in Catawba county.

By Mr. Fulton, to require railway companies to keep and maintain cattle guards.

By Mr. Temple, to amend chap. 220, laws of 1881.

On motion of Mr. Reid, of Gaston, the rules were suspended and the bill changing the time of holding the superior courts of Gaston, Cleveland, Rutherford and Polk counties was taken up, and passed its third reading.

Leave of absence was granted to Messrs. Wood, Nixon, Williams, of Sampson, Hardy and Cowell.

COMMITTEES.

The Chair announced the following as the committee on fish interest: Messrs. Riggs, Riggs, Hardy, Walker, Powers, of Cumberland and Newby.

CALENDAR.

The calendar was taken up and the following bills were disposed of:

To allow the commissioners of Nash county to borrow money, and to levy a special tax to pay the same. Passed third reading.

To repeal the law prohibiting the sale of liquor in Germantown. Passed third reading.

To incorporate the town of Germantown, in Stokes county. Passed third reading.

To attach a portion of Craven county to Carteret. Re-referred.

An act relating to divorce, on motion of Mr. McCloud, was made the special order for Tuesday next at 11 o'clock.

SPECIAL ORDER.

The hour for the special order having arrived, the following was announced as the special order for this hour:

Substitute for an act to establish twelve judicial districts in North Carolina.

Mr. Bailey, of Mecklenburg, thought the bill ought to pass, because from the increase of litigation it was impossible to transact the business of the courts with nine judges, for they were all worked down. The increase of litigation demanded it, so that the people might have their rights adjudicated.

Mr. Powers, of Cumberland, was in favor of the passage of the bill because he thought that it was needed by the people of the whole State, except in a few small counties, and by it the Inferior Courts could be got rid of.

Mr. Fledsac was in favor of the bill on account of the crowded dockets in the State, and exhibited a calendar of Wake court to show the state of facts in that county.

Mr. Worthington thought it was a want keenly felt by the people, and that the law-makers ought to give them redress, and spoke of the crowded dockets in his own and other counties.

Mr. Hayes, of Robeson, asked Mr. Worthington if it was proposed in good faith, if this bill was passed, to abolish the Inferior Courts?

Mr. Worthington thought it was, and that a supplemental bill to that effect would follow.

Mr. Hayes, of Robeson, then moved to amend by abolishing all criminal inferior courts.

Mr. Genn was sorry to oppose his friends from the East, but that he would not be doing justice to the people of his county if he did not oppose it; his county did not need it.

Mr. Myers thought special terms of the court when needed would be sufficient for all purposes.

Mr. Bunn said that he was here not to represent his people alone but the people of the whole State. That special terms were impossible because the judges could just get around by hard work with the regular terms now. That his county could get along without, but that other counties could not.

Mr. Wilcox moved to amend the amendment by striking out the word "criminal."

Mr. Sandford said that the people of the Eastern part of the State needed it, to such an extent that it amounted without it to almost a denial of their rights. That not a civil cause had been tried in his county in three years.

Mr. Overman was in favor of the bill because he thought it was needed by the people, and the constitution expressly declared that the people should have a speedy remedy by trial which they did not under the present law.

Mr. Holt was in favor of the bill; said that he had heard no one say that it was not expedient to have twelve judicial districts.

Mr. Forbis said that it was with no demagogical spirit that he opposed the bill, but on the grounds of its inexpediency and insufficiency to meet the necessities of the case, and relieve the wants of the people. He said that more districts meant more judges and more pay, and less work, and longer terms of court, and he did not see that it would relieve the hardships complained of by the people in the East, and that in his section there is no pressing necessity for more judges nor more courts; said that he never knew a county to ask for a special term but what they could get a Judge for the one hundred dollars per week to hold it, and that this being true, he thought that the necessity of the case could be met by holding special terms in the large counties where the dockets were crowded, better than by creating more districts and giving longer terms of court; but said that if the friends of the bill would show him where any county had been unable to have a special term of court in consequence of not being able to get a judge to hold the court, and then if the friends of the bill would add an amendment so as to insure the more frequent sittings of the court in the large counties instead of longer terms, then he would support the bill, but otherwise he would be compelled to vote against it. Said that more frequent courts were the thing needed, if anything, and not smaller districts and more of them, so as to give longer terms, because two or three weeks was as long as lawyers, judges or jurors could stand the wear and tear of court.

Mr. Peebles spoke at length in favor of the bill, explaining the need of it, and giving the objections to the criminal court system, and fully met every objection to the bill now pending.

Mr. McCloud spoke not in favor of Buncombe, but in favor of Buncombe, and made a strong appeal for a speedy trial of causes for the people of that and other counties.

Mr. Candler asked Mr. McCloud if the Democratic party had not told the people that nine judges were enough.

Mr. McCloud: Yes; but the Democratic party was mistaken, and it is not the first mistake that party has made; but no one is perfect, not even the Republican party, and I would not accuse even that party of perfection.

Mr. Le Noir said he had promised his constituents to be careful how he voted away their money, but there was such a thing as being pound foolish and penny wise. That since the war the State had advanced in population one-third, and that it was nothing but right to keep pace with the advance in population and provide for any future increase in population that might be. That the number of judges should be increased one-third.

Mr. Strudwick had thought that if any subject could be brought before the House that was devoid of politics, it was the judiciary, but that politics had been brought in, and he was sorry that Democrats had admitted that the Democratic Legislature which reduced the number of judges had erred. He was prepared to admit no such thing. They, in their wisdom, had seen fit to reduce, but the time had now come to increase, and he was in favor of increasing them, although his county did not need it especially. He moved to postpone until next Wednesday at 11 o'clock and that it be the special order for that hour.

Mr. Page said he came from the east and knew the needs of the people of that section, and he was in favor of the bill.

Mr. McCotter was opposed to postponement, for the matter had already been fully discussed, and the friends of the bill had already fully and freely advanced all the arguments they could in favor of it.

Mr. Ray hoped the motion to postpone would prevail.

Mr. Wilcox said: I hope the motion of the gentleman from Durham will prevail. I do not desire to cast a single vote in this House that will redound to the injury of the State at large, or to any single county. If I find upon further examination of this bill that it is a public necessity, I shall vote for it regardless of political opinions, or strictures that may be made by other members upon this floor.

Mr. Thompson desired it to be postponed, as did Messrs. Robins and Candler.

The bill was, on a vote being had, postponed.

CALENDAR (resumed.)

To amend the law incorporating the town of Beaufort, made the special order for Thursday next, at 12 o'clock, and ordered to be printed.

Mr. Tate reported the bill changing the time of sheriffs settling with the State Treasurer, without prejudice.

On motion of Mr. Glenn, it was made the special order for next Thursday, at 12 o'clock.

To repeal chapter 1, laws of 1881, relative to cotton weighers of Wilson. Third reading.

Act relating to the working of the public roads of Watauga. Passed its third reading.

Act providing for the election of Mayor of the town of Goldsboro by the people: Passed its third reading.

Substitute for a resolution and a bill in favor of soldiers who became maimed in the Confederate service. Informally passed over.

MESSAGES.

For the relief of the sureties of K. H. Winstead, late sheriff of Wilson county.

A bill for the relief of the sheriffs of the State.

To authorize the commissioners of Cherokee county to issue bonds, and for other purposes.

To make it a misdemeanor to ride or drive faster than a walk over Washington and other bridges.

To amend chapter 58, laws 1881.

CALENDAR (resumed.)

To amend chapter 58, laws 1881, changing the name of a corporation.

Pending the consideration of this bill the hour of adjournment arrived and the House adjourned.

SENATE.

TWENTY-FIRST DAY.

FRIDAY, January 26.

The Senate was called to order at 10 o'clock.

Prayer by the Rev. Mr. Gwaltney.

PETITIONS.

Mr. Eaves, of Rutherford, from Pleasant Grove Methodist church, asking that liquor be not sold in one mile thereof.

Mr. Costner, from citizens of Catawba county, to prevent the sale of liquor in one and a half miles of Maiden.

COMMITTEE REPORTS.

Propositions and Grievances—r. Costner, favorably, to prohibit the sale of intoxicating liquors in certain localities in Madison county.

Mr. Womack, of judiciary: To amend the laws of 1880, chapter 15, recommending its passage.

r. Alexander, of Finance: To extend the time of paying the taxes for Dare county.

Unfavorably—A bill to construe the act in regard to county treasurers.

Mr. Strayhorn—unfavorably from judiciary: A bill to be entitled an act making it profitable to the State and respectable for parties to engage in the sale of pistols and other deadly weapons.

Mr. McLean, unfavorably—An act to amend and construe section 2, chapter 141, of the laws of 1867-67, in regard to the office of county treasurer.

Messages from the House, informing the Senate that the House had passed the following bills, which were properly referred:

A bill to provide for working the public roads in the county of Watauga.

A bill to repeal chapter 1, laws 1881.

A bill relating to the duties of justices of the peace and county treasurers.

A bill to incorporate Narrow Island Club.

Mr. Battle, favorably: An act for the protection of crops in Caswell county; an act to prevent the sale of malt or spirituous liquor on Sunday; to amend chapter 260, laws 1876-77, and chapter 234, laws 1881.

Mr. Womack, favorably: A bill to pro-

hibit the sale of spirituous liquors in four miles of Mount Olivet Methodist church, in Robeson county; to amend chapter 116, laws 1881.

Mr. Battle, favorably: To regulate the sale of liquor in Northampton county.

Mr. Speight, unfavorably: Act to repeal the purchase tax on liquor.

Mr. Alexander, finance committee, favorably: To allow Granville county to levy a special tax; appropriating \$3,000 to rebuild the quarantine hospital in Brunswick county. Unfavorably: To authorize C. C. Sandford, late sheriff of Davie county, to collect arrears of taxes; to authorize the county treasurer of Caswell county to pay certain claims, and asked its reference to the educational committee.

Mr. Dortch, judiciary committee, reported favorably: A bill for the relief of disabled Confederate soldiers; a bill to allow creditors to sue on certain claims before they are due; a bill to amend the law of attachment; a bill to exempt farming implements from taxation—as constitutional but recommend it do not pass.

Mr. Boykin, judiciary committee, unfavorably: A bill to allow justices of the peace and county commissioners to be elected by the qualified voters of the State; a bill to re-establish county government and restore local self government to the people.

r. Black, unfavorably: A bill to extend time for getting grants.

ENGROSSED BILLS—CORRECTLY ENGROSSED.

A bill to incorporate the Rutherford Railway Construction Company. Unfavorably: A bill to give solicitors half fees in cases of "nolle prosequi;" a bill to prohibit the sale of intoxicating liquors in certain localities.

Mr. McLean, committee on engrossed bills, reported as correctly engrossed: An act to amend chapter 25, private laws of 1876-77; an act to amend and construe section 2, chapter 141, of the laws of 1876-77; to regulate the sale of liquor in Northampton.

BILLS

Were introduced as follows: Mr. Whitford, to establish a standard weight for a barrel of pork; by the same, to remove all license tax upon wines, cordials or liquors: Mr. Evans, to regulate the fees of justices of the peace, &c.; Mr. Carter, to amend section 5, chapter 234, laws of 1881.

Mr. Costner, to prevent the felling of timber in Jacob and Henry's fork and South fork, Catawba county.

Mr. Lovill, to protect fish in Elk river and its tributaries, in Watauga and Mitchell.

Mr. Linney desired to place himself right on the bill for the relief of the sheriff of Bladen, and asked that the vote by which it passed its final reading yesterday be re-

considered. He did not think that relief was needed.

The vote was reconsidered, by a vote ayes 41, nays 2. The bill was referred to the committee on finance.

THE CALENDAR

was taken up. Bill for the protection of mechanics and laborers came up on its final reading. It provides that no property shall be exempt from a lien for work done upon it by any laborer or artisan.

Mr. Boykin said he did not desire to renew the long discussion of yesterday upon the bill. The bill was considered by the judiciary committee to be unconstitutional.

Mr. Linney was satisfied that the Senate had power to pass this bill. It would be lawful even if it were more far-reaching than as it now stands.

Mr. Morehead said that Mr. Linney's premises and conclusions were both wrong. He was in favor of the bill if it were constitutional, but as it was to his mind clearly not so, he would oppose it. It is a lien on the premises.

Mr. Linney said that the homestead exemption was not intended to exempt from four classes of indebtedness, of which one was debt for labor performed or work done.

Mr. Dortch said that there was no doubt that the bill was unconstitutional.

The bill passed its final reading by a vote of ayes 28, nays 10, as follows:

AYES—Messrs. Alexander, Berry, Carter, Clarke, Costner, Cozart, Dotson, Eaves, Evans, Goodwyn, Graham, Gray, Hampton, Jones, Linney, Lovill, Lyon, Mebane, Neill, Payne, Pemberton, Pinnix, Ramsay, Richardson, Scott, of New Hanover, Scott, of Rockingham, Watson, Webb—28.

NAYS—Messrs. Battle, Black, Boykin, Dortch, Farmer, Hill, King, of Cherokee, King, of Pitt, Whitford, Woodhouse—10.

Bill to amend the charter of the Atlantic Coast Railway, passed its final reading.

Bill to punish the crime of poisoning, by making it felony and a penitentiary offense, punishable by imprisonment for not less than four months or more than ten years.

Mr. Pemberton spoke in favor of the bill, citing instances to show that it was absolutely necessary.

Mr. Richardson took a similar view. The law was good, just, and ought to pass.

For the bill was offered a substitute by the committee, which also contained a provision that any person convicted of an assault with a deadly weapon with intent to kill, shall be punished by fine or imprisonment in the discretion of the court, or imprisonment in the penitentiary not exceeding ten years.

Mr. Watson moved to insert as an amendment the words, "prompted by express malice towards the person whose life is attempted."

Mr. Boykin did not consider the amend-

ment as necessary, as he thought the court ought to be allowed some discretion in this matter, and ought to be allowed to imprison for an assault with implied malice. The courts ought to be authorized to imprison in such cases.

Mr. Pemberton also opposed the amendment.

Mr. Alexander was opposed to sending persons to the penitentiary for less than five years. He regarded the penitentiary as a college for rascality.

Mr. Linney moved to strike out the word "kill" and insert the word "murder."

Mr. Jones favored the amendment of Mr. Watson.

Mr. Dortch thought that Mr. Watson's amendment should not prevail.

The amendment was lost, by a vote of yeas 16, nays 22.

Mr. Linney's amendment was adopted. The substitute as offered by the judiciary committee was adopted. The bill passed its second and third readings.

Bill modifying the law in regard to the continuance of civil actions pending in the Superior Courts of the State, by forbidding it in many cases, was taken up. It was favored by Mr. Purnell, who said that it cured a hardship now felt by attorneys.

Mr. Clarke opposed it, thinking the present law right.

Mr. Linney deemed the proposed bill just, and thought the Senate should pass it, if it had the power to do so. He suggested a postponement.

Mr. Strayhorn said the judiciary committee at first thought the bill proper, but on looking into it could not recommend it, and so reported unfavorably. It opened the door to many frauds. The present law was deemed good enough.

Mr. Womack took ground against the bill, and said it would be a decided hardship upon plaintiffs in suits, and would be an injustice upon witnesses. He moved to table the bill.

The bill was tabled, by a vote of 20 to 7.

Bill to pay Alonzo Huntly \$200 for the capture of Joe Ross, passed, after a graphic explanation by Mr. Alexander, who stated that Ross had slain three men.

Bill to designate a place for comparing the Senatorial vote in the 22d district, passed.

Bill providing that lights be kept burning on the bridges above Wilmington, passed.

Bill providing that the \$25 tax fee shall not be levied on bills incorporating turnpikes and toll bridges over non-navigable streams, failed to pass.

Bill to restore the burnt records and lost wills of Cabarrus county, passed.

Bill to repeal laws providing for the election of cotton weighers for the town of Wilson, after remarks by Mr. Farmer passed its readings.

Leave of absence was granted Messrs. Battle, Alexander, McLean and Gray.

Resolution of instruction to the Attorney General, in regard to the holding by the Seaboard Railroad Company of a majority of stock in the Carolina Central Company, instructing him to investigate the matter. Referred to the judiciary committee.

Bill to establish a graded school in Lumberton school district No. 70, passed, after remarks by Mr. McLean.

Bill to protect laborers and mechanics from dishonest actions of contractors, in failing to satisfy their claims for work done, was taken up. It was favored by Messrs. Scott and Clarke.

Mr. Boykin said the bill made the contractor guilty of a misdemeanor for the violation of a contract.

Mr. Strayhorn thought the bill was unnecessary, as a bill already passed protected the laborers.

Mr. Clarke sent up an amendment providing that the bill shall apply to the loading and unloading of vessels and cars.

The bill was tabled.

Bill relative to graded schools in Goldsboro passed, after explanation by Mr. Dortch. It allows an additional tax to be levied if necessary, etc.; to hold property, etc.

Bill concerning the service of summons was tabled.

Bill to prohibit the sale of liquor within one and a half miles of Wenden, Catawba county, passed its final reading.

Bill to change the fiscal year of the State from September 30th to November 30th, when the accounts of the Treasurer, the Auditor and of the charitable and penal institutions shall close. In December, annually, the accounts shall be examined, by two Senators and three representatives, who shall have the same per diem as members of the Assembly. The Governor shall, in his message, make estimates for the next two fiscal years. It passed its final reading.

Bill to repeal the law relating to the sale of liquor within three miles of Eden Church, Greene county, passed; to lay out a public road from Stonewall to the Neuse River road by the use of convicts from that county, passed final reading.

Bill allowing Pasquotank county to levy a special tax, passed.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Speaker Rose in the chair.

Prayer by the Rev. Mr. Gwaltney, of the Second Baptist church, of this city.

The reading of the journal of yesterday was dispensed with and it stood approved.

PETITIONS.

Mr. Green, of New Hanover, petition to

amend the public school law of 1881. Committee on education.

Mr. Overman, petition from citizens of Morgan township asking for relief from the operations of the stock law.

REPORTS OF COMMITTEES.

The following committees reported upon the following bills favorably.

Internal Improvements—To incorporate the Brown Mountain Mining Company. To change the name of the Elizabeth City and Norfolk Railway Company.

Judiciary—To allow the commissioners of Warren county to regulate the amount of the bonds of their county officers. Substitute for the act to change the number of jurors from five to three. To amend chapter 234, laws 1881. To amend the charter of the town of Henderson. To regulate the issuing of State grants for lands. To require railroad companies to keep and maintain cattle guards. To amend chapter 4, laws 1881.

Finance—To authorize the commissioners of Currituck county to levy a special tax. To authorize the Auditor of the State to draw all warrants for the payment of money.

Propositions and Grievances—To prohibit fishing on Sunday. To change part of the line between the counties of Watauga and Caldwell.

RESOLUTIONS.

Mr. Hayes, of Robeson, introduced the following resolution and it was adopted under a suspension of the rules:

RESOLUTION OF INSTRUCTION TO THE ATTORNEY GENERAL.

Whereas, it is alleged that the Seaboard & Roanoke Railroad Company is holding a controlling interest in the Carolina Central Railroad Company, by reasons of its having purchased a majority of the stock of the latter company, and whereas there are grave doubts whether the said Seaboard & Roanoke Railroad Company has any authority under its charter or under the laws of the State to purchase and hold said stock, and whereas it ought to be the policy of the State to encourage competition in railroad traffic and to prevent the growth of monopoly power, and especially to prevent the subordination of State railroads by other corporations having their termini in other States and run in the interest of foreign cities, therefore

Resolved, That the Attorney General is instructed to examine into the matters herein referred to, and if in his opinion there is reasonable ground for bringing an action to test in the proper courts the right of the said Seaboard & Roanoke Railroad Company to hold said stock, and to assert the rights of the State in the premises.

LEAVE OF ABSENCE.

was granted to Messrs. Reid, of Gaston

Lawrence, Eaton and Assistant Doorkeeper Norton.

Leave of absence was granted to Mr. Page on account of sickness, until Monday.

UNFINISHED BUSINESS.

The unfinished business of yesterday, pending the consideration of which the House adjourned, was taken up and passed its third reading, it being an act to amend chapter 68, laws of 1881.

BILLS.

The following bills were introduced, passed their first reading and were referred as follows:

By Mr. Stringfield, to prohibit the sale of liquor within four miles of Bethel Church in Haywood county. Propositions and Grievances.

Mr. Worthington, for the relief of Elizabeth F. Pratt, of Chowan county. Propositions and Grievances.

Mr. Liles, to repeal the prohibition laws for the town of Lilesville. Propositions and Grievances.

Mr. Fulton, to prevent the felling of timber in Ararat river in Surry county. Propositions and grievances.

Mr. Hamilton, to prevent the falling or rolling of timber into the French Broad. Propositions and grievances.

Mr. McCurrie, to prevent the obstructing of North Wuddy creek: Judiciary.

Mr. Speller, to regulate the working of convicts. Judiciary.

Mr. Harris, of Davidson, to prohibit certain persons from practicing law. Judiciary.

Mr. Ray, to amend the stray law. Judiciary.

Mr. Bailey, of Wecklenburg, to make valid certain probate deeds; to establish a mortuary table. Judiciary.

Mr. Johnson, to amend chapter 27, of Battle's Revisal. Judiciary.

Mr. Belcher, to make it a misdemeanor for contractors not to pay their employees. Judiciary.

Mr. Green, of New Hanover, to amend the school law of 1881. Education.

Mr. Poe, in relation to school committeemen. Education.

Mr. Tate, to incorporate the Platonic Literary Society, of Rutherford College; to incorporate the town of Glen Alpine, in Burke county. Corporations.

Mr. Bullock, to incorporate the North Carolina Colored Christian Conference. Corporations.

Mr. Patrick, to provide for paying of jurors of the Superior Court their per diem in cash. Salaries and fees.

Mr. Crouse, to change the lines of Johnston and Catawba Springs, in Lincoln county.

Mr. Stanford, to facilitate the construction of the Newbern and Beaufort canal. Internal improvements.

Mr. Williamson, for the better protection of estates of deceased persons. Judiciary committee.

CALENDAR.

The calendar was taken up and the following bills disposed of as follows:

Senate amendment to the act making it a misdemeanor to ride or drive faster than a walk over Aurora, Leashville and Washington bridges. Concurred in.

To amend chapter 37 of Battle's Revisal. Made special order for Tuesday next.

To incorporate the supreme council of the Vacabus Home Aiding Society. Passed its third reading.

To repeal chapter 117, laws 1879. Referred.

To amend the law touching the seduction of women. Informally passed over.

To repeal chapter 95, laws 1879. Informally passed over.

To pay witnesses before justices of the peace in criminal cases. Tabled.

To incorporate the town of Pate's. Passed its second reading.

To authorize Halifax county to fund its debt and levy a special tax to pay the same. Informally passed over.

Senate amendment to the act incorporating the Brown Mountain Mining Company. Concurred in.

To change the name of the Elizabeth City and Norfolk Railroad Company to that of the Norfolk and Southern Railroad Company.

Mr. Worthington said:

MR. SPEAKER: After the introduction of the pending bill in this House I received a communication from a gentleman in Elizabeth City, urging objections to its passage. Since that time I have awaited patiently and hopefully the receipt of such communications as would not leave the issue raised by such objection in doubt. I stand here ready to serve the people of Elizabeth City whenever I can do so. Friendships have been formed with many of them, both sincere and tenacious, and I feel under peculiar obligations to serve them. I have had no opportunity to debate the merits or demerits of this bill. I know nothing of them, and I do not feel justified in giving color to an opposition for which, from my meagre information, I have been unable to discover substantial reasons.

The bill then passed its third reading.

Substitute for the bill for the protection of crops in certain localities, passed second reading.

To amend the law incorporating the Raleigh Gas Light Company, passed third reading.

To make it a misdemeanor to deface signs, notices, &c., passed third reading.

Mr. McCloud moved to reconsider the vote by which the resolution of instruction

to the Attorney-General was adopted, and to refer to the judiciary committee.

Mr. Worthington was in favor of reconsidering.

Mr. Hayes, of Robeson, was opposed to a reconsideration, as no advantage had been taken in its passage and no one could bring any argument against the principles involved in the resolution, and he did not see the use in reconsidering.

Mr. Robins was in favor of reconsidering so as to make it a joint resolution.

Mr. Harris, of Wake, was opposed to a reconsideration because the resolution was simply to investigate and give light, and what the people of North Carolina wanted more than anything else was light on the railroad transactions of the past two years.

Mr. Rose thought that this resolution was another instance of rapid legislation, and he thought the vote ought to be reconsidered by which the resolution passed.

Mr. Sutton was opposed to the motion because the people wanted light.

Mr. Strudwick said if it was proposed merely to reconsider to make it a joint resolution, he was in favor of reconsidering, but if for any other purpose he was opposed to it.

Mr. Peebles was in favor of reconsidering because the resolution to be effective must be a joint resolution.

Mr. Sherrill was in favor of reconsidering because the only way to get light was to refer to a committee.

Mr. McLoud wished to reconsider, so as to get the matter in such shape as will make it command respect and enforce obedience.

Upon a vote being had the motion to reconsider prevailed.

Mr. Hayes, of Robeson, moved to amend by making it a joint committee.

Mr. Ray moved to refer to a select committee of five.

Mr. Hayes, of Robeson, said that he would abide by the resolution as introduced by him; that it was a square fight, and that if he went down he should go down standing by those principles. That it would do no good to refer to a select committee.

Mr. Strudwick was opposed to refer, because he did not see any good end to be subserved by that course.

Mr. McLoud was in favor of passing the resolution, and letting it go to the Senate.

Mr. Green, of New Hanover, agreed with Mr. Strudwick, and thought the resolution ought to be passed and not referred.

The motion to refer was, upon a vote being had, lost.

The amendment to the resolution was adopted, and the resolution, as amended, was then adopted. Ayes 102, nays 3, Messrs. Bailey of Mecklenburg, Bailey of Wilson and Brown voting in the negative.

Mr. Bailey, of Mecklenburg, explaining his

vote, said that without reference to the merits of the resolution, he thought it a dangerous precedent to pass such a resolution without a reference to a committee.

To provide for the counting of votes deposited in the wrong box. Tabled.

To allow the commissioners of Warren county to regulate the bonds of county officers. Passed its third reading.

To amend the landlord and tenant act. Tabled.

To amend chapter 72, laws 1868-69. Passed its third reading.

To amend the charter of the town of Hendersonville. Passed its second reading.

To incorporate the Centurion Benevolent Society. Referred.

To amend the charter of the town of Henderson.

Mr. McCotter thought if this bill was passed it would be against the interest of the poor men of the town, hence he could not vote for the bill.

Mr. William, of Grunville, said no man would go further than he to protect the poor man, but it was the unanimous wish of the people of that town.

The bill was further discussed by Messrs. Harris of Wake, Bailey of Mecklenburg, McCotter, McLoud, Lenoir, Frazier, Sutton and Holt. The bill then passed its third reading.

The hour for adjournment having arrived the House adjourned.

SENATE.

TWENTY-SECOND DAY.

SATURDAY, January 27.

The Senate was called to order at 10 o'clock, President Robinson in the chair.

PETITIONS.

Mr. King, of Pitt, petition for prohibition within three miles of May's Chapel and Berea church, in Pitt county.

Mr. Hampton, a petition from citizens of Fall Creek Township, in Yadkin county, asking for the appointment of J. P. Dobbias, as a justice of the peace for said township. Referred to the committee on appointment of justice of the peace.

Mr. Toon, for prohibition at Parker's school house, Robeson county.

Mr. Woodhouse, petition for a graded school at Edenton. Relating to the Elizabeth City and Norfolk Railroad.

Mr. Clark, petition protesting against an increase of taxation, and petition against a no-fence law.

Leave of absence was granted the Senator from Halifax till after Tuesday next.

BILLS, ETC.

Mr. King, of Pitt, introduced a bill prohibiting the sale of liquor in three miles of May's chapel, Berea and Penny Grove church.

Mr. Lovill sent in a communication from John B. Hand on education.

Mr. Linney, a bill authorizing Statesville to fund its bonded debt.

Mr. Jones, bill relating to probate of wills.

Mr. Pemberton asked for a reconsideration of the bill in regard to dirt turnpikes, which failed to pass yesterday. It was reconsidered and referred.

Mr. Pool asked that the bill in regard to fishing in Pamlico and Tar rivers be recommended. Agreed to.

Mr. Farmer introduced a bill to lay out and construct a public road from Stonewall to the Neuse River Road, in Pamlico. Referred.

Mr. Strayhorn desired to state that he voted for the laborers and mechanics bill yesterday, and his name was not recorded.

Mr. Payne, bill to amend the Constitution so as to create two additional associate justices of the Supreme Court and to provide for the election of the same. Referred.

Mr. Richardson, memorial and bill to repeal the prohibition act at Fellowship Church.

The Governor's message was received from the House, with the report of the Agricultural Department.

r. Scott, of Rockingham, bill incorporating the Wilmington, Chadbourn and Conwayboro Railroad, in Columbus. A substitute was offered, which passed.

CALENDAR.

Senate bill for a graded school in Robeson was taken up. As the Senator from Robeson was not in his seat, and as Mr. Pemberton said he wished to examine the bill further, it was referred.

Mr. Dortch, bill for a graded school in Goldsboro, passed its readings.

Bill giving Pasquotank county power to levy a special tax, passed.

An act for the relief of disabled Confederate Soldiers. (Gives \$3 a month to Confederate soldiers who lost one leg, one eye, one arm,) was taken up on motion of Mr. Toon, who said:

"MR. PRESIDENT: I introduce the bill for the relief of an unfortunate class of worthy citizens in every county in the State. It could be made an occasion for a grand display of eloquence and considerable combat, but this would not answer the aims of the bill. This would not give relief. Leaving out the many forcible reasons this bill suggests to the minds of every Senator in this chamber—reasons arising from true nobility of heart, I place it upon the broad ground of humanity. These living monuments of devotion to principle, connecting links with the dying moments of our highest and noblest aspirations as patriots, are badly prepared to struggle with the difficulties of life. Especially now since age adds its heavy

burdens to misfortune. What is the limit of our charity? Are we as a State able. We are able at least to let them know they are not forgotten by giving them even a small amount to lighten their burdens."

In view of an amendment which the committee had recommended should be made the bill was referred to a committee.

Mr. Jarke called up the bill to elect justices of the peace by the people.

Mr. Farmer moved to table it.

r. Ramsay demanded that the yeas and nays be called on that motion. The vote was, yeas 27, nays 12.

Mr. Purnell moved that the bill for restoring to the people their right to elect county officers be taken up.

Mr. Poole moved to lay the bill on the table.

Mr. Strayhorn said he knew the gentleman didn't want it discussed, but he hoped the gentleman would yield and allow it to be made a special order.

Mr. Poole yielded.

Mr. Strayhorn asked to have it made the special order for 12 o'clock next Tuesday.

Mr. Poole insisted on his motion to lay on the table.

r. Watson—Owing to the ancient and frazzled condition of the matter in the bill I second the gentleman's motion.

The bill was tabled, on a party vote.

Mr. Speight called up his bill to exempt agricultural and mechanical implements, increasing the exemption to \$50 instead of \$25.

Mr. Morehead moved to postpone to Saturday, February 10, when it could come in with the revenue bill.

Mr. Speight asked for the ayes and nays. The vote stood—ayes 22, nays 15.

r. Watson opposed the bill. He styled it class legislation, aimed at the exemption of the negro from poll and property tax, to throw the burden of taxation on the better class of farmers. He warned the other side that the white people of the State were getting tired of paying taxes to educate the negro when they were paying none for themselves. He was in favor of an ad valorem tax, with exemption for no man or no class.

Mr. Womack moved to amend that every man in the State be exempt to the amount of \$50 on his personal property.

Mr. Clark said the amendment was good; he would vote for it, but he did think that when many a poor man had hard luck and wasn't worth \$50, that he ought to have that exemption.

r. Jones, of Henderson, offered an amendment that the title to the bill be changed to "act to exempt the Republican party from taxation. (Laughter.)

Mr. Linney: The Senator from Craven spoke of the man of hard luck being exempted. There is an old adage, that "more

by hit than good wit do men succeed." It is pluck and not luck that makes honest, noble men. Luck destroys them, pluck makes them. There is no idea of luck in taxation. Bad luck exemption is violative of the idea of justice. The exact measure of protection is the exact boundary of taxation.

r. Purnell thought gentlemen hadn't the fortitude to stand the discussion. There were others than negroes in the Republican party, who paid their taxes.

On motion of Mr. Dortch the bill was made a special order. Adjourned.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Speaker Rose in the chair.

Prayer by the Rev. E. R. Rich, rector of the Church of the Good Shepherd of this city.

PETITIONS.

Mr. Peebles, from citizens of Weldon township, in Halifax county, concerning the appointment of justices of the peace.

Mr. Liles, petitions for and against the repeal of the local prohibitory laws of Lilesville.

Mr. Simmons, by request, petitions asking for a new county to be formed out of Beaufort.

Mr. yrd, from citizens of Yancey county, asking that Caney River Baptist church be incorporated.

REPORTS OF COMMITTEES.

Reports were made by various committees on the following bills:

To regulate the manner of drawing jurors. Substitute for an act to repeal chapter 117, laws 1879. To change chapter 27, Battle's Revisal. To amend chapter 200, laws 1881. To amend chapter 138, laws 1881. To incorporate the North Carolina Colored Christian Conference. Substitute for an act to make valid certain irregular probate of deeds. To amend chapter 341, laws 1881. To remit tax fee on bill to incorporate the Wilkesboro Bridge Company. For the better protection of the estates of deceased persons. To prevent the obstruction of North Muddy Creek, in McDowell county. To incorporate the town of South Mills, in Camden county. To make it a misdemeanor for contractors not to pay their employees. To prevent the selling of timber in Ararat river, in Surry county. To amend the stray law. To incorporate the Weldon and Garysburg Road, Bridge and Ferry Company. Substitute for an act to incorporate the town of Maiden, in Catawba. To authorize the commissioners of Cherokee county to issue bonds and for other purposes.

BILLS.

The following bills were introduced, passed their first reading and were referred as follows:

Mr. Bailey, of Mecklenburg, to regulate appeals from allotments of exempt property. Judiciary committee.

Mr. Poe, to repeal the law amending the law prescribing the duties of coroners. Judiciary committee.

Relating to the Board of county commissioners. Judiciary committee.

r. Ball, to prohibit the sale of liquor in certain localities in Madison county.

r. Simmons, by request, an act to lay off a new county to be called Richland. Committee on propositions and grievances.

By Mr. Hayes, of Swain, to authorize the commissioners of Swain county to sell certain land bonds. Calendar.

y Mr. Proctor, to repeal chapter 65, of Battle's Revisal, (relating to liens). Calendar.

By Mr. Pitman, to incorporate the Elmwood Cemetery Association. Corporation.

By Mr. Newell, to repeal the purchase tax on dealers in spirituous liquors. Finance.

MESSAGES.

A message was received from His Excellency the Governor transmitting the report of the Department of Agriculture.

From the Senate informing the House that the Senate had passed an act to incorporate the Rutherford Railway Construction Company.

CALENDAR.

The calendar was taken up and the following bills disposed of as follows:

To incorporate the town of Pate's. Third reading.

Substitute for an act to provide for the better protection of crops in certain localities. Third reading.

To amend the charter of the town of Hendersonville. Third reading.

To incorporate the North Carolina Colored Christian Conference. Third reading.

To amend the laws relative to the appointment of cotton weighers for the town of Weldon. Informally passed over.

To incorporate the Loftin Silver Lead Mining Company. Third reading.

To incorporate the Bright Light Gold Mining Company. Third reading.

To incorporate the Mikado Gold Mining Company. Third reading.

To submit to the voters of Davie county the question of the stock law, made on motion special order for 11 o'clock Friday next.

To prevent fraud in weighing cotton. Withdrawn by Mr. McCotter by consent.

To incorporate the St. John's Agricultural and Mechanical Association. Third reading.

To amend the landlord and tenant act.

Mr. Green, of Franklin said that the act proposed to strike out in the present law the word verbal so as to make all contracts between landlord and tenant act.

Mr. Harris, of Wake, thought the

ought to be amended as the bill proposed and moved to recommit to the committee on judiciary, which was adopted.

To exempt ministers of the Gospel from certain duties. Tabled.

In regard to the Superior Court Clerk of Perquimans county. Tabled.

To prohibit the sale of liquors to lunatics and idiots. Tabled.

To amend section 369 of the code of civil procedure.

Mr. McLoud moved to amend by inserting the word "shall" instead of "may." Carried. The bill then passed its third reading.

To extend the time to redeem land sold for taxes. Passed its third reading.

To amend chapter 240, laws 1874-75, made the special order for Thursday of next week.

MESSAGE.

A message was received from the Senate informing the House that the Senate had passed a bill to incorporate the Wilmington, Chadbourn and Conwayborough Railroad Company.

On motion of Mr. Williamson the rules were suspended and it was taken up and passed its third reading.

Judges Graves and Avery were given seats on the floor of the House.

CALENDAR (RESUMED).

To change part of the line between Watauga and Caldwell counties. Informally passed over.

To amend the charter of the town of Shoe Heel. Passed its third reading.

Relating to Caldwell and Watauga Turnpike Road. Passed its third reading.

Relative to amending the election law.

Mr. Hayes, of Robeson, wished to know why the bill did not pass the committee. For his county, it was needed.

Mr. Sherrill asked if the register would get pay if he was compelled to stay at home to take the names?

Mr. Holt stated that it did not pass the committee for the very reason incorporated in the question of Mr. Sherrill.

Mr. Robins thought it would open wide the door for fraud, and moved to table the bill, but withdrew it to allow Mr. Harris, of Wake, to discuss it.

Mr. Harris, of Wake, thought if gentlemen accepted official positions they ought to be compelled to discharge the duties, and wished to have the bill recommitted for the purpose of having a substitute prepared. He, according to promise to Mr. Robins, renewed his motion to table, and called for the yeas and nays. The call was sustained and the bill was tabled, by the following vote:

YEAS—Messrs. Anderson, Bailey of Wilson, Baum, Beall, Bennett, Bower, Bunn, Byrd, Cowell, Forbis, Fulton, Gatling, Glenn, Green of Franklin, Grissett, Gudger,

Holt, Houston, Johnson of Johnston, King, Lenoir, Liles, McAllister, Marsh, Matheson, Mathis, Myers, Overman, Peebles, Philips, Posey, Ray, Reynolds, Riggs, Robins, Sandifer, Sherrill, Simmons, Stanford, Steed, Stewart, Strulwick, Tate, Thompson, Tomlins, Turner, Walker, Williams of Granville, Williamson, Wilson, Worthington—51.

NAYS—Messrs. Baker, Belcher, Pledsoe, Bradley, Bridgers, Brown, Bruce, Bryan, Bullock, Cain, Candler, Covington, Cheek, Frayser, Green of New Hanover, Hamilton, Harrison, Harris of Wake, Hayes of Robeson, Hayes of Swain, Henderson, Hewlin, Holton, Jenkins, Johnson of Craven, Landreth, Leary, Lineback, McCotter, McLoud, Mitchell, Montgomery, Newby, Newell, Patrick, Person, Pittman, Poe, Proctor, Reade of Person, Smith, Speller, Stokes, Sutton, Temple, Wilcox—44.

Leave of absence was granted to Mr. Rose.

Resolutions of instruction to members of Congress relative to the pension law, passed its third reading.

Mr. Brown introduced a resolution to allow the Engrossing Clerk to employ an assistant, and it was taken up under a suspension of the rules and passed its third reading.

Bill to make all railroads subject to all laws passed in reference to regulating freight and passenger charges.

Mr. Rose moved to refer to joint committee on railroads, and his motion was discussed by Messrs. Bailey, of Mecklenburg, Robins, Strudwick, Holt, McLoud, Overman, Lenoir, Peebles and Harris, of Wake.

Mr. Rose withdrew his motion to refer.

Mr. Bailey, of Mecklenburg, called for the yeas and nays, which was sustained, and the bill passed its second reading by a vote of 95 to 1, Mr. Smith voting in the negative. The bill then passed its third reading.

A MESSAGE

was received from the Senate informing the House that the Senate had passed the following bills:

Senate amendment to the bill to amend the charter of the Atlantic Coast Line Railway. Concurred in.

For the better prevention of murder by poison.

An act for the protection of mechanics and laborers.

Mr. Cowell introduced a resolution in regard to instructing the members of Congress relative to the revenue of light houses. Calendar.

Leave of absence was granted to Messrs. Powers of Cumberland, Poe and Bridgers.

CALENDAR (resumed.)

To protect the estates of deceased persons and lunatics.

Pending the consideration of this bill, the hour for adjournment arrived, and the House stood adjourned.

An Act Concerning Railroads

[Introduced by Mr. Bailey, of Wecklenburg. Sections 2, 3 and 4 added by Mr. Lenoir.]

The General Assembly of North Carolina do enact Section 1. That all railroad companies in this State, as well those heretofore chartered those which have been or may be chartered since the 20th day of January, 1883, shall be subject to any laws that may be passed by the General Assembly of North Carolina regulating freight and passenger rates.

Sec. 2. All companies incorporated under the laws of this State, and having the right to make, acquire, lease or operate any railroad or part of a railroad in this State, are railroad companies within the meaning and operation of this act; and the charters of all such companies, chartered before the passage of this act, are hereby amended so as to make section 1 of this act a part of each such charter as fully as though it were expressly inserted in it as a part thereof. And every such charter granted after the passage of this act shall be construed as though section 1 of this act were expressly inserted in it as a part thereof.

Sec. 3. Every law of this State granting to any corporation not chartered under the laws of this State any right to make, acquire, lease, or operate any railroad, or part of a railroad, in this State, is hereby declared to be null and inoperative as to such right till such corporation has been incorporated under the laws of this State.

Sec. 4. Every railroad, or part of a railroad, in this State shall be subject to the same general laws for the regulation and control of railroads as though it were in the hands of a corporation chartered under the laws of this State.

Sec. 5. This act shall take effect from and after its ratification.

SENATE.

TWENTY-FOURTH DAY.

MONDAY, January 29.

The Senate was called to order at 10 a. m. Mr. Ramsay asked that the name of Mr. Lyon, of Bladen, be added to the committee on finance. It was done.

Mr. Carter, a petition from citizens of Vance county asking a repeal of prohibition within four miles of Middleburg.

The committees sent in reports.

CALENDAR.

Mr. Pool moved to suspend the rules and take up the bill to change the name of the Elizabeth City and Norfolk Railroad Company to that of the Norfolk and Southern Railroad Company.

Mr. President: In behalf of the committee on Internal Improvements, I desire to make a statement in regard to this bill. Early in the session of the General Assembly, Dr. Cowell, the representative from Currituck county introduced this bill by request. The Senators and Representatives from the eastern portion of the State, soon discovered from the papers published in Elizabeth City, that there was some opposition from the people of that town. In order that the people of Elizabeth City might be heard, and both sides have an opportunity to present their case to the committee in the House of Representatives, the bill was held over for a considerable time, about twenty days I believe, and the people of Elizabeth City notified, to send a representative, or in any other way that they thought best, give the committee the grounds of their opposition. From the best information that I can gather the opposition to the change of name was based upon these grounds to-wit: 1st. Amere sentimentality in regard to the name of Elizabeth City. 2nd. That by changing the name of said railroad, Elizabeth City would be deprived of the benefits of an advertisement which the name now gives that town. After waiting about twenty days, no one appeared before the committee of the House, and there was no opposition to the bill except by two papers published in Elizabeth City—the "Economist and "Falcon," and a small petition from Elizabeth City, signed by a few of its citizens. I will read the petition:

To the Senate and House of Representatives of North Carolina:

The undersigned petitioners respectfully represent to your honorable body that a change of the name of the "Elizabeth City and Norfolk Railroad, as proposed in a bill before you, would be unjust and detrimental to this part of our State, and they therefore petition that the bill to change the name be rejected.

Can any one see any reason in this petition why the Elizabeth City and Norfolk Railroad Company should not be allowed to change their name? I apprehend, Mr. President, the reason why the petition does not set forth any grounds why the bill should not pass is because there was no good reason. The committee, after a careful examination of the bill, reported unanimously in favor of its passage. I am informed the bill passed the House in the same way that it passed the committee, by a unanimous vote. It then came to the

Senate and was referred to the committee on internal improvements. The Senate committee held a meeting, and the attorney for the railroad made a brief statement why the Railroad Company desired the change. He stated that the company desired to change its name, not in any spirit of revenge or in order to do the people of Elizabeth City any injustice, but because the road having been extended beyond Elizabeth City the present name was too much of a local character and they wanted to call it "Norfolk and Southern," because under that name they could extend their road to any point south, without being compelled to make change every time the road was extended. The only opposition before the Senate committee was a small petition from parties who live in Currituck, near the Virginia line, who have no interest in the matter. The Senate committee unanimously agreed to report in favor of its passage, and the bill is now before the Senate. Now, Mr. President, if the people of Elizabeth City owned stock in this road, or had granted certain privileges in consideration of the fact that the railroad company was to name their road after the town of Elizabeth City, then and in that case, they would have some ground of opposition, but I am reliably informed that the facts are that they do not own one dollars worth of stock, did not contribute a dollar to build the road and did not give a foot of ground on which to build depots, wharves, etc.

It would give me pleasure to serve the people of Elizabeth City in any manner not inconsistent with my duty, and if in this instance they could have shown any good and just reason why the name of the Elizabeth City and Norfolk Railroad should not be changed, I would have advocated their cause earnestly and zealously, for my childhood days were spent in that town, and pleasant recollections of the past cluster around my memory. I would gladly do anything in my power to contribute to their success and prosperity, but when asked to do an act of great injustice to a railroad company because of my friendship for the people of Elizabeth City, I am compelled to decline.

We want foreign capital to come to North Carolina to build railroads, and then how absurd it would be when they do come to refuse to allow them the right to name their own roads. This, in my judgment, is so preposterous that I do not see how any one can entertain it for a moment. Before the attorney or any other representative of the Elizabeth City & Norfolk Railroad company came to Raleigh, two editorials appeared in "The Falcon," a paper published in Elizabeth City; one under the title, "It must be done," and the other "On account of the Superior Court, &c.," from which I will read two extracts:

I. "The railroad company have their agents at the State capital working untirely for the success of their measure. Doubtless these agents are well supplied with funds, with directions to invest where they can secure the largest returns. But whether or not they are supplied with the 'sinews of war,' they are there to represent their side of the case in the best light, and for all we know to misrepresent ours."

II. "How many members of our present Legislature went to Raleigh on free passes issued by the railroads? To say that three-fourths of them are so provided would be a very liberal estimate. These men have dead head passes made out in this form: 'Pass Mr. A. from—to—on account Legislature.' Now ample provision is made for the payment of the traveling expenses of members of the Legislature. They are paid from the public treasury five cents each way for every mile they travel in attending the Legislature—and this is more than any railroad in the State charges. The dead head ticket makes their mileage, drawn from the treasury, a clear bonus for which they are indebted to the railroad companies.

'an any one guess why these passes are issued? Does any one suppose that the railroad companies are distributing these passes out of pure goodness of heart? Does any one think that when legislation comes up effecting the interests of these roads, each member who has become the beneficiary of these roads does not feel under decided obligations to them?

We affirm that this is highly improper, that however it is considered by the recipients, it is given by the companies in the nature of a bribe."

In answer to the author of these articles which I have just read, I have this to say, that if the writer means to say, by intimation or otherwise, that the Senators and Representatives from the eastern part of the State, or any other part of the State, have been influenced by improper or corrupt motives to vote for this bill, then I denounce it as an infamous and malicious slander, and I hope that every Senator in this chamber will vote for the bill, as a rebuke to this little blackmailing sheet. The bill was passed by the House committee unanimously, by the House of Representatives unanimously, by the Senate committee unanimously, and I now ask that the Senate pass it unanimously.

Mr. Speight thought the Senate should be unanimous in the passage of Mr. Pool's bill. It passed its third reading unanimously.

Mr. Watson, bill for the relief of A. Kernan, railroad tax collector for Forsythe county, passed its second reading.

An act to incorporate the Hibernian Benevolent Society of Wilmington.

Mr. Payne accepted the amendments and hoped the bill would pass. It passed its third reading.

Bill authorizing the commissioners of Granville to levy a special tax. Mr. Cozart stated that he withdrew his amendments. The bill passed its second reading.

Bill to amend and construe the act in regard to county treasurers. The bill proposed to leave it to the discretion of the county commissioners to abolish the office and let the sheriff make all the disbursements.

Mr. Webb spoke in favor of the bill and said it ought to pass.

Mr. Morehead was doubtful of the propriety of allowing the commissioners to abolish the office of treasurer; that he acted as a check on the sheriff, like the auditor on the treasurer; but he was in favor of the bill.

Mr. Black thought the bill a good one, but was opposed to the amendment allowing the sheriff two and one-half per cent. and thought one and one-half per cent. sufficient.

Mr. Webb thought two and one-half per cent. too much for the sheriff.

Mr. Womack thought the bill should be passed over, as Mr. McLean of the committee was not present.

Mr. Scott, of Rockingham, said that for the very reason which the Senator from Guilford gave for favoring the bill he was opposed to it. He repeated that the treasurer was a balance wheel to the county government.

Mr. Boykin insisted on the motion of the Senator from Chatham to pass over the bill informally. This was then done.

Mr. Evans withdrew his stock law bill for Caswell, in order to make certain modifications.

Bill to prevent the erection of artificial islands in the navigable streams of this State. A substitute for the bill was offered which Mr. Jones said if "he understood correctly would take in all the mill ponds in the country.

Mr. Pemberton said Mr. Caho explained to the committee it was to prevent duck hunters from building "turns," which would dam the water and make rafts.

Mr. Jones said the word "navigable" wasn't in the substitute and would make every mill pond liable. The substitute says "any water."

Mr. Woodhouse asked if the gentleman would explain what navigable water was. He hadn't been able to find a lawyer in the State who could tell. Mr. Jones offered an amendment "navigable streams."

Mr. Speight said if he understood the bill it was for the protection of the ducks against the multitude of hunters, many of them coming from the south.

Mr. Watson proposed that the bill be

made applicable only to the tier of eastern counties, and not apply to the western counties.

Mr. Woodhouse was satisfied with this, and the bill was recommitted.

Bill to amend the landlord and tenant act, making the landlord guilty of a misdemeanor when seizing the tenant's property "unlawfully, knowingly and unjustly."

Mr. Strayhorn advocated the bill.

Mr. Hill thought the bill a good one as against a few mean landlords, who would take advantage of their tenants.

Mr. Jones was in favor of protecting the tenants, but wanted the bill framed in a better manner. It was improperly drawn, and would not answer the purpose.

Mr. Womack saw no need of reference; thought the bill should pass.

Mr. Black was opposed to the bill, thought we were making too many crimes. He couldn't see where the tenant would be hurt in this matter. If we enact a law of this kind it would cause a great many little indictments and throw the cost on the counties.

Mr. Scott, of Rockingham, offered an amendment: Add after "knowingly" the words "and without process of law."

Mr. Watson said he would favor the bill with that amendment.

Mr. Strayhorn said that the law vests the whole crop in the landlord and it was merely to protect the tenant.

Mr. Morehead said he was in favor of the bill, but would like to know what objection Mr. Strayhorn could have to Mr. Scott's amendment.

The amendment was adopted and the bill passed its third reading.

Resolutions instructing our Senators in Congress not to consent to the renewal of the reciprocity treaty with the Sandwich Islands were taken up.

Mr. Payne moved to table the resolutions. They were tabled.

Bill to reduce bonds given by register of deeds. Indefinitely postponed.

Bill to prevent felling of trees in North Hunting Creek, Alexander county. Passed its third reading.

Bill authorizing chairmen of finance committees in the State to administer oaths.

Mr. Morehead asked if it was a general power.

Mr. Boykin thought the bill not in accordance with the law concerning perjury, but moved that it be referred to the committee on judiciary. It was referred.

Bill to extend the time for paying State taxes in the county of Dare. Passed third reading.

Bill for amnesty and pardon to certain persons accused of selling liquor without license. Mr. Boykin explained that the bill provides for that class of persons who were supposed to have violated the law during

prohibition in the State.

Mr. Pemberton thought the bill would go a long ways in settling dissatisfaction on the subject and hoped it would pass.

Mr. Morehead asked that it be passed over for the present. It was so done.

Bill to exempt bank officers from jury duty was tabled. Bill defining false pretenses was tabled.

Mr. Watson gave it as his candid opinion that the passage of this bill would crowd every criminal docket in the State. Mr. Webb, Mr. Black and Mr. Toon favored, and Mr. Morehead, Mr. Strayhorn and Mr. Womack opposed it. The yeas and nays were called on Mr. Womack's motion to table. Tabled—yeas 27; nays 11.

Mr. Morehead called up the bill for amnesty and pardon to certain persons for selling liquor and offered the following amendment:

"Provided such persons within ninety days from the ratification of this act shall pay the amount prescribed by law for license for one year for State, county and municipal purposes." The amendment was adopted. Mr. Morehead offered another amendment, adding after the word "costs" the words "and the amounts prescribed in the proviso to section 2 of this act." Adopted and the bill passed its third reading.

Bill prohibiting sale of liquors in one mile of Chapel Hill Church in Iredell, passed its third reading.

Bill to amend the law in regard to concealing the birth of an infant; providing imprisonment in the penitentiary for not less than one or more than five years. Mr. Payne explained the bill.

Mr. Watson said ninety-nine times out of one hundred the woman was entitled to sympathy in such cases, while the man was to blame; if the law would convict the man as an aider or abettor, then he would vote for it.

Mr. Womack did not see how the man could be made guilty of concealing the birth; it might under the old law make him guilty of concealing the death.

Mr. Payne suggested that the bill be passed over to be amended. It was so done.

Bill incorporating Weeping Mary Burial Society, in Camden county. Passed its third reading.

Bill for the relief of the sheriff of Jones and Warren. Referred.

Bill to reduce the number of jurors in allotment of dower to three instead of five. Passed its third reading.

Bill making bonds issued by the State or by county or city governments redeemable after five years.

Mr. Purnell explained the object of the bill. Passed its second reading.

Bill authorizing the Seaboard and Raleigh

Railroad Company to change its corporate name. Passed its third reading.

Bill to allow the Bank of Greensboro to wind up its business. Passed its third reading.

Bill prohibiting the sale of liquor at certain points in Madison county. Passed its third reading.

Bill to amend section 1, chapter 127, laws 1879.

Mr. Scott wished to know if a man had a razor in his pocket would it be a deadly weapon?

Mr. Linney said the negroes were in the habit of carrying them, and it was so meant when off a man's premises.

Mr. Scott would like to know if the Senator brought his razor here with him.

"Yes, in my trunk."

Mr. Scott thought the judges had been too strict in the construction of that statute; if a man had a razor in his pocket with intent to use it in a fight then it should be a deadly weapon, but not so when he is taking it in his pocket to a barber shop.

Mr. Linney said it was well known that the negroes had decided on the razor as a deadly weapon, and for that reason he had drawn the bill. The bill passed its third reading.

Resolution of thanks to Dr. Curry were adopted.

Bill to incorporate Winton Lodge in Hertford county. Passed third reading.

Bill regulating sale of liquor in Northampton county. Mr. Strayhorn thought this bill contained provisions which had been voted down on other bills, and he was opposed to it. (It makes a man found drunk on the road guilty of a misdemeanor and punishable by fine and imprisonment.)

Mr. Mebane opposed the bill.

Mr. Womack said this was a pet bill of Mr. Peebles, the member from Northampton, and if he thought the bill the best for his own county he did not see why Senators should object.

Mr. Morehead thought section 5 was wrong and moved to postpone so as to amend.

Mr. Mebane offered an amendment striking out section 5. Pending discussion, the Senate adjourned.

NOTE—Mr. Boykin, Senator from Sampson, has been receiving numerous letters on the subject of county government. He informs us that all the bills in his hands relating to it have been disposed of and laid on the table.

HOUSE OF REPRESENTATIVES.

MONDAY, January 29, 1883.

The House met at 10 o'clock. Mr. Worthington, President pro tem, in the chair.

Prayer by the Rev. Dr. E. A. Yates, pastor of Edenton Street M. E. Church, of the city.

The journal was read and approved.

PETITIONS.

Mr. Simmons, from Richland township relative to the appointment of justices. From Beaufort relating to the same.

Mr. Matthison, from Alexander county, relating to appointment of justices.

Mr. Newell, from Bladen county, relating to the appointment of justices.

Mr. Holton, from citizens of Yadkin county opposing the repeal of the stock law.

Mr. Williamson, petition from Columbus county asking repeal of prohibitory laws at Cherry Grove Baptist Church.

Mr. Candler, from the commissioners of Jackson asking to be allowed to levy a special tax to build a bridge.

Mr. Leazar, petition asking for prohibition near Caddle Creek church, in Iredell county.

Mr. Bailey, of Mecklenburg, petition asking for an amendment to the charter of the town of Mathews.

REPORTS OF COMMITTEES.

Various committees reported favorably upon the following bills:

To pay jurors their per diem in cash. To prevent the felling of timber in the French Broad River. To repeal chapter 274, laws 1881. To amend the law to prevent the obstruction of fish in Scuppernon River. To incorporate the Roanoke Navigation and Water Power company. To incorporate the Bank of Goldsboro. An act relating to judicial sales. To increase the number of justices of the peace.

RESOLUTION.

Mr. Pennett, concerning the Department of Agriculture. Referred to the committee on agriculture.

Bills were introduced, passed their first reading and referred as follows:

Mr. Stringfield, to amend the act providing for the sale of the States' interest in the W. N. C. R. R. Co. Ordered to be printed and referred to the committee on internal improvements.

A bill to be entitled an act to amend an act entitled "An act to provide for the sale of State's interest in the Western North Carolina railroad company, and for other purposes."

THE GENERAL ASSEMBLY OF NORTH CAROLINA DO ENACT:

SECTION 1. That whenever the Western North Carolina railroad shall have been completed, and in operation to the Tennessee river about 10 miles west of Charleston, the county seat of Swain, near the mouth of the Nantahala river, the commissioners appointed to examine said road under the provisions of the act "entitled an act to provide for the sale of the State's interest in the Western North Carolina railroad, and for other purposes," ratified the 29th day of March, 1880, are hereby directed to exam-

ine the work, and if it has been done according to contract, to accept the same on the part of the State.

SEC. 2. That upon such acceptance, the treasurer of the State is hereby authorized and directed to sell and to deliver to A. S. Buford, W. P. Clyde and T. M. Logan, assignees of W. J. Fest, or their assigns, the \$520,000 of bonds, par value, and coupons, which were deposited with the said treasurer, under the provisions of sections (12) twelve and (24) twenty-four of said act of March 29, 1880, for six hundred thousand dollars (\$600,000) in cash, or for the same amount in the four per cent. bonds of the State, par value, issued under the act, "entitled an act to compromise, commute and settle the State debt." (Laws of 1879, chapter 98.) The cash or the bonds to be paid at the option of the said Buford, Clyde and Logan, or their assigns.

SEC. 3. That upon such sale and delivery of said \$520,000 of bonds, all the interests and estate of the State of North Carolina in and to the said Western North Carolina Railroad, shall vest in the said A. S. Buford, W. P. Clyde and T. M. Logan, or their assigns, and the United States Trust Company of New York, with whom the deed for said road is deposited, are hereby authorized and directed to deliver said deed to the said Buford, Clyde and Logan, or their assigns, as a deed effectual for all the purposes therein named; and if the said United States Trust Company shall refuse to deliver said deed, as herein provided, the commissioners or their survivors, who signed the same in behalf of the State, are hereby authorized and directed to execute and deliver a duplicate of said deed. And upon the sale and delivery of said \$520,000 of bonds, as aforesaid, section 10 of the act of March 29, 1880, and the contract made in pursuance thereof, shall be amended by striking out the words "that the mortgage cannot be foreclosed for either principal or interest until said railroad shall have been completed to Paint Rock and Murphy," and the Western North Carolina Railroad Company is authorized to declare said provisions void and no longer binding on the holders of its bonds, or in its discretion to issue new mortgage bonds to the holders of said bonds in lieu thereof.

SEC. 4. That nothing in this act shall operate to deprive the Western North Carolina Railroad Company [of their right] to complete their road to Murphy, and the Georgia and Tennessee Line at or near Ducktown, if they deem it expedient, but they shall not be bound to complete same by January 1, 1885.

SEC. 5. That the Western North Carolina Railroad Company is hereby authorized and empowered to construct, equip and operate two branch roads, to-wit: the one starting on some point on the main line be-

tween Charleston, Swain county, and the mouth of the Nantahala River, and running thence to the North Carolina and Tennessee Line, in the direction of Maryville, Tenn.; the other starting at a point on the main line, in the vicinity of the mouth of Nantahala River, and running thence up the Tennessee River by Franklin, in the direction of Clayton, Ga.

SEC. 6. That the Western North Carolina Railroad Company is authorized and empowered to lease or purchase, or consolidate with any other railroad company in North Carolina, South Carolina, Tennessee, or Georgia, which it may deem advisable in order to make a continuous railroad connection with the railroad systems of said States.

SEC. 7. That the Western North Carolina Railroad Company is authorized to mortgage these branch roads and issue bonds thereon for the purpose of raising money to complete the same.

SEC. 8. That the said branch roads shall be subject to the same restrictions as the main line in regard to discriminations in freights and charges and liability for taxation, and the company shall have the same rights as to surveys, condemning lands for right of way, depots and station houses and other buildings, and in constructing, equipping and operating said branches as it has on the main line to Murphy and to Paint Rock.

SEC. 9. That after the sale of the \$520,000 of bonds, as aforesaid, the Western North Carolina Railroad Company may be leased to any other corporation or company, or may guarantee the bonds of any other railroad corporation if it so elects.

SEC. 10. That until January 1, 1885, the Western North Carolina Railroad Company may retain and work the convicts under the terms set out in the act of March 29, 1880, and after that time it may retain them, on such terms as may be agreed upon between said company and the board of directors of the Penitentiary.

SEC. 11. That until the said railroad is completed to the Tennessee river, and the purchase money paid in cash or bonds as hereinbefore provided no part of this act shall have any force and effect, except sections 5, 6, 7 and 8.

SEC. 12. That this act shall be in force from and after its ratification.

By Mr. Bailey, of Mecklenburg, to establish a criminal court in the County of Mecklenburg. Judiciary.

By Mr. Wilcox, to restore to the people the right of local self-government. Judiciary.

By Mr. Byrd, to punish certain malicious injuries to the person. Judiciary.

By Mr. Patrick, to amend section 1, chapter 272, laws 1881. Judiciary.

By Mr. Sherrill, to allow school districts

in Catawba county to levy a special tax. Finance.

By Mr. Covington, to require all druggists to pay retail liquor dealers tax. Finance.

By Mr. Candler, to authorize the commissioners of Jackson to levy a special tax. Finance.

By Mr. Riggs, to empower the commissioners of Dare county to levy a special tax. Finance.

By Mr. Overman, to incorporate the town of Third Creek in Rowan county. Corporations.

By Mr. Robins, to incorporate "The Enterprise Manufacturing Company." Corporations.

By Mr. Bailey, of Mecklenburg, to amend the act incorporating the Spring Shoals Manufacturing Company. Corporations.

By Mr. McAllister, to incorporate "The Cabarrus County Co-operative Association."

By Mr. Hayes, of Swain, to make it unlawful to poison fish in the Oconalufte River in Swain county. Propositions and Grievances.

Mr. Wilcox, to prevent the felling of timber in Three Top creek, in Ashe county. Propositions and grievances.

Mr. Standford, to amend chapter 143, laws 1879. Education.

Mr. Sherrill, to establish a Graded School in the town of Hickory. Education.

Mr. Bailey, of Mecklenburg, to amend the charter of the town of Matthews. Cities and towns.

Mr. McCloud, to prohibit the sale of liquor in half mile of W. G. Candler's, in Buncombe county. Cities and towns.

Mr. Reade, of Person, to repeal local prohibitory laws in Person county. Calendar.

Mr. Williamson, to amend chapter 171, laws of 1872-73, relative to the sale of liquor, near Cherry Grove church. Propositions and grievances.

Mr. Poe, to incorporate the Yanceyville Grand United Order of Benevolence. Corporations.

Mr. Leazar, to amend chapter 234, laws of 1881. Propositions and grievances.

Mr. Thompson, to amend chapter 11, Patrick's Revisal. Judiciary.

Mr. Proctor, to exempt \$100 worth of farming and mechanical tools from taxation. Calendar.

Mr. Bower, bill to be entitled an act to increase the number of justices of the peace in the several townships of the State. The bill is as follows:

The General Assembly of North Carolina do enact:

Sec. 1. The General Assembly at its present session shall elect two justices of the peace for the several townships of the State in addition to those provided for by section four, chapter one hundred and forty-one,

of the laws of 1876-77; and in all townships in which any city or incorporated town is situated, besides the two additional justices herein provided for, there shall be two other additional justices for every one thousand inhabitants therein residing.

Sec. 2. Of the additional justices whose election is provided for by the preceding section, one half shall be elected for the term of four years and the other half for the term of six years.

Sec. 9. This act shall be in force from and after its ratification.

Leaves of absence were granted to Messrs. Williams of Granville, Wood and Lawrence.

MESSAGES.

A message was received from the Senate informing the House that the Senate had passed the following bills, and the House disposed of them as follows:

Senate amendment to the act to amend the law relative to the removal of causes before justices of the peace, providing that such removal shall take place before evidence shall be given in. Concurred in by the House.

Senate amendment to the act to authorize Pasquotank county to levy a special tax. Concurred in by the House.

Act relative to the graded schools of Goldsboro. Committee on education.

CALENDAR.

The calendar was taken up and the following bills disposed of as follows:

Substitute for an act to repeal chapter 117, laws 1879.

Mr. Wilcox said:

MR. SPEAKER:—If the bill of the gentleman from Mecklenburg provides for the abolition of the North Carolina Board of Health, I consider it a monstrous proposition for any member upon this floor to ask this House to consider. Every State in the Union has a Board of Health, and whilst our health board is in its infancy, its good influences are being felt throughout the whole State, and the time is not far distant if properly nurtured, when it will be regarded as an indispensable part of our State machinery, and for the purpose of showing our recognition of the faithful performance of the many irksome duties connected with its existence by the eminent gentleman who have been the guardians of it, I move that the House promptly table the bill. The bill was then tabled.

To amend the law touching the seduction of women. Informally passed over and ordered to be printed.

To allow the commissioners of Halifax county to fund its debt and to levy a special tax to pay the same. Passed its second reading.

To authorize the Seaboard and Raleigh Railroad Company to change its name. Passed its second reading.

Resolutions of instruction to our members of Congress in reference to the light house and marine service fund.

Mr. Simmons said this was a vital subject to those people, a living to them, and if these resolutions are not passed it will be saying to them that North Carolina does not care for you. Because it is a living to some North Carolinians I sincerely hope they may pass without a dissenting voice. The resolutions then passed their third reading.

* Substitute for an act to authorize the Virginia and Carolina Railroad to extend and construct its line in this State.

Mr. Peebles was in favor of the passage of the bill and stated that it only conferred upon them the powers conferred upon all other railroads in Battle's Revisal.

Mr. Strudwick withdrew his amendment, but afterwards removed it.

Some little sparring then took place between Messrs. Peebles and Robins, after which the bill was informally passed over.

An act in relation to actions at law. Tabled.

To require executors to give bond. Tabled.

To amend chapter 200, laws of 1881, allowing the county treasurer of Lincoln county to pay for repairs on school buildings. Passed its third reading.

To change part of the lines between Caldwell and Watauga counties. Informally passed over.

Relative to the probate of deeds. Tabled.

Substitute for an act to make valid certain irregular probates of deeds. Passed its third reading.

To protect the estates of deceased persons and lunatics. Passed its third reading.

To prohibit the sale or giving away of liquor within one mile of any church or school house. Tabled.

For the better protection of children losing their parents in the State's Prison. Tabled.

To regulate the manner of drawing jurors. Tabled.

To amend chapter 138, laws 1881, passed its third reading.

For the better protection of laborers, withdrawn by Mr. Poe.

Making it a misdemeanor to dispose of property under a chattel mortgage without written consent. Tabled.

To amend chapter 83, Battle's Revisal, (relating to oysters.) Passed its third reading.

To regulate the allowance of contestants or seats before the General Assembly. Tabled.

To amend chapter 4, laws 1881, (relating to cutting of telegraph and telephone wires.) Passed its third reading.

Substitute for an act to amend chapter

93, laws 1868-9, (reduces the number of jurors to lay off dower.) Passed its third reading.

Mr. Peebles moved to take from the table the bill prohibiting the sale of liquors to lunatics, etc., and that it be placed on the calendar. Carried.

To allow Swain county to sell Cherokee land bonds. Third Reading.

To incorporate the Centurion Benevolent Society. Recomitted to the Committee on Corporations.

To amend the stray law. Third reading.

To amend the act appointing cotton weighers for Weldon and Enfield. Third reading.

To amend the law concerning alimony. Third reading.

Mr. Tate moved to take the bill to exempt from taxation one hundred dollars worth of farming and mechanical tools from the calendar and refer it to the committee on finance.

Upon that motion Mr. Hayes, of Robeson, called the ayes and nays; the call was sustained and a vote was had, which was as follows:

Ayes—Anderson, Bailey, of Mecklenburg, Bailey, of Wilson, Ball, Barrett, Baum, Beall, Bennett, Bower, Brown, Bunn, yrd, Cain, Candler, Cheek, Crouse, Cowell, Forbis, Fulton, Gatling, Glenn, Green, of Franklin, Gudger, Hamilton, Hayes, of Swain, Holt, Houston, Johnson, of Johnston, King, Lenoir, Liles, cAllister, McCotter, McCloud, Marsh, Matheson, Mathis, Myers, Overman, Patrick, Peebles, Person, Phillips, Posey, Ray, Reade, of Person, Reynolds, Riggs, Robbins, Sandifer, Sherrill, Simmons, Stewart, Stringfield, Strudwick, Tate, Thompson, Tomlins, Turner, Walker, Williamson, Wilson—Ayes 64.

Nays—Baker, Belcher, Bledsoe, Bradley, Bridgers, Bruce, Bryan, Covington, Frayser, Green, of New Hanover, Grissett, Harris, of Wake, Hayes, of Robeson, Henderson, Hewlin, Holten, Johnson, of Craven, Landreth, Leary, Lineback, Montgomery, Newby, Newell, Page, Pittman, Poe, Proctor, Smith, Speller, Stokes, Sutton, Temple, Wilcox—Nays 32.

The hour for adjournment having arrived the House adjourned.

SENATE.

TWENTY-FIFTH DAY.

TUESDAY, January 30.

The Senate was called to order at 10 o'clock.

PETITIONS, BILLS, ETC.

Mr. Costner, petition from citizens of Catawba against obstructions in South Fork River.

Mr. Morrison, petition of citizens of Harnett for prohibition in three miles of Holloway church.

Mr. Hampton, petition of citizens for prohibition within three miles of Centre church, in Yadkin county; and Pleasant Grove church, in Rutherford county.

Mr. Evans, three petitions from citizens of Caswell, asking for the appointment of magistrates.

Mr. Toon, petition from Whiteville, Columbus co., asking that H. C. Maflit be appointed a justice of the peace.

Mr. Dortch, bill to provide for local assessments in aid of public schools. On motion of Mr. Pemberton 1,000 copies of the bill were ordered printed.

Mr. Lovill, bill to establish a normal school in Boone, county of Watauga.

Mr. Morrison, bill to prohibit liquor in three miles of Holly Springs church, in Harnett county.

Mr. Ramsay, resolution asking why the report of the Superintendent of Public Instruction has not been published. Referred to the committee on education.

Mr. Clark, bill for relief of Mayor Hand of Newbern.

Mr. Webb, bill to amend Battle's Revisal, chap. 27, sec. 22.

Mr. Cozart, bill to appoint tobacco weighers in warehouses.

Bill to regulate sale of liquor in Northampton county, came up as unfinished business.

It was discussed at great length, the speakers being Messrs. Webber, Goodwyn, Womack, Jones, Morehead, Alexander, Strayhorn, Black, Carter, and many amendments were offered.

The bill was put on second reading.

Mr. Strayhorn asked the ayes and noes.

It passed by a vote of yeas 21, nays 17.

Mr. Strayhorn objected to its third reading and bill laid over.

Bill authorizing Granville county to levy a special tax. Passed.

Bill to make bonds, State, county or municipal, redeemable after five years.

Mr. Watson offered an amendment, "provided, that the provision of this act shall not apply to municipal bonds actually authorized to be issued but in fact not actually issued."

Mr. Purnell accepted the amendment.

Mr. Purnell made a statistical speech in favor of the bill, in which he spoke of sixty thousand dollars in market house bonds in the city treasury, and they could not redeem them.

Mr. Womack opposed the bill.

Mr. Alexander thought it a good bill, and was pleased when the Senator from Wake introduced it. It would have a good effect on the people of North Carolina in regard to issuing bonds hereafter.

Mr. Linney thought a bond running twenty years is of less value than one running five. The nearer the creditor is placed to the fund due him the stronger is the

claim. No harm can possibly arise from this bill, and it may be productive of much good.

Mr. Womack held that a bond running twenty years was of more value than a five year bond, and thought the five year redemption of the bill would depreciate the value of the bonds. The bill passed its third reading.

Mr. Clark, resolution asking the Treasurer to say how much the Cape Fear & Yadkin Valley railroad had cost the State, was adopted.

Mr. Pinnix, resolution concerning election of justices of the peace.

Mr. Caho, bill for the protection of aids to navigation by authority of the United States Light House Board in North Carolina, and petition with same for drag nets in certain waters.

Mr. Payne, bill for trustees of supreme court library to employ a librarian.

Bill to protect fish in Neuse and Trent rivers, passed its third reading.

H. B. & S. R., to require fishermen to pull up and remove their net stakes. Mr. Clark said they were extremely dangerous to navigation.

Mr. Speight thought if the stakes were allowed in the water five months in the year, he could see no reason to take them up, it was putting the fishermen to unnecessary labor.

Mr. Hampton said the stakes would decay.

Mr. Caho said the fishermen wanted the bill passed. It passed its second reading.

Mr. Speight asked to exempt the north side of Albemarle Sound and Chowan river, and sent an amendment. Voted down.

Mr. Speight asked the ayes and nays on the passage of the bill. Granted. The bill passed its third reading—yeas 28, nays 10.

Mr. Graham, bill to incorporate the Hoffman and Troy Railroad Company.

Bill to amend chapter 13, laws of 1880, making the killing of cattle by railroads indictable.

Mr. Ebbs trusted the bill would not be recommitting, he knew that some Senators urged it was a bloody act, but he saw nothing unjust in it.

Mr. Pemberton said the committee hadn't done a thing about the bill, and he was for recommitting.

Mr. Womack explained that the committee were opposed to enlarging the bill, taking in all the counties, and therefore had reported it unfavorably.

Mr. Watson saw no reason for recommitting, it should be dealt with now, and he hoped the whole matter would lay upon the table, but withdrew it at the request of Mr. Boykin.

Mr. Boykin pointed to a fatal defect in the bill that without an amendment giving the right of appeal the bill was unconsti-

tutional, it deprived either party of the right of a trial by jury and the right of appeal.

Mr. Strayhorn would like to see the bill recommitment in order to have amendments, and made that motion.

Mr. Purnell offered substitute, but was informed by the Chair that there was already a substitute printed.

Mr. Costner explained the action of the committee on the bill.

Mr. Ebbs told how the people in his county had suffered by having their stock run over and killed, and that it was a slogan with the party on the other side, that it was through Democratic legislation; he had promised them to have an amendment of this sort and he wanted to make good that promise.

Mr. Watson never expected to hear complaint of Democratic legislation for building a railroad through Madison.

Mr. Ebbs said it was no Democratic complaint, it was from Republicans.

Mr. Watson said if that was the source he was against the bill and hoped the whole thing would be laid on the table.

Mr. Strayhorn spoke to the bill—it ought to pass.

Mr. Hill was for the bill. He inquired for the man with the impudence and cheek to get up a suit against a railroad corporation.

After further discussion between Messrs. Ebbs, Womack and Alexander, who opposed it, because it punished the wrong people, Mr. Watson renewed the motion to table. Mr. Ebbs asked for the ayes and noes. Granted. It was tabled. Ayes 23; noes 20.

Mr. Caho, bill to amend section 15, chap. 100.

Mr. Hampton, bill to prohibit liquor in one mile of Center Church in Yadkin county and Pleasant Grove Church in Rutherford county.

Mr. Linney, bill to protect growing crops from the depredations of stock.

Mr. Purnell, bill for the punishment and removal of justices of the peace who may be guilty of corruption or malpractice in office.

Bill came up as special order giving fifty dollars exemption on agricultural and mechanical implements.

Mr. Linney hoped the bill would be set down on promptly, and made an earnest speech against it.

Mr. Payne said the argument that the bill would relieve the farmer was a fallacy. It would take \$75,000 out of the treasury. Republicans were wrong in their argument. The question was of finance, and should be carefully investigated, and he moved to refer the bill to the finance committee.

Mr. Womack said he had introduced an amendment making the fifty dollar exemption applicable to all persons, because he

was opposed to class legislation. He was opposed to any exemption, because the present twenty-five dollar exemption depleted the treasury to the amount of \$47,500 in actual taxes. He was opposed to a virtual appropriation of \$47,500 to benefit any individuals.

Mr. Clark earnestly spoke for the bill.

Mr. Pemberton, Mr. Hill and Mr. Morehead spoke against it.

Mr. Mebane hoped that Senators when discussing matters of State would not bring in the black man. He believed it a good bill and would vote for it.

Mr. Dortch (decidedly).—Mr. President, I move to lay the bill on the table.

Mr. Purnell.—On that I call the ayes and noes.

During the call Mr. Loftin, from Lenoir, explained his vote. He said he saw no reason why property should not be taxed. He voted aye.

Mr. Lovill explained his vote. It would do no good to the better class of farmers. He voted aye.

Mr. Carter (col.) said if the bill was to do the poor people any good he would vote against tabling it, but it would do him no good as the rich man fixed his wages anyhow, and if they put the tax on him he'd take it off the wages of the laborer, so he voted aye. [Applause.]

The bill was tabled.

Senate adjourned.

[NOTE.—The razor bill passed yesterday was drawn and offered by Mr. Dotson, of Iredell. It was his bill.]

The dower bill passed yesterday, reducing the number of jurors from five to three, was Mr. Pinnix's, of Davidson.]

[NOTE.—The chair called attention to an oversight of committees which he thought should be corrected, viz: When a bill is recommitted with the pending amendments the committees in some cases make their report without noticing the pending amendments.]

HOUSE OF REPRESENTATIVES.

TUESDAY, January 30, 1883.

Mr. Worthington, Speaker pro tem, called the House to order at 10 o'clock.

Prayer by the Rev. Mr. Hardy, of the House.

The Journal of yesterday was read and approved.

PETITIONS.

By Mr. McCloud, from citizens of Buncombe county, relative to the appointment of justices.

By Mr. Stewart, from citizens of Harnett county, asking local prohibition.

By Mr. Leazer, from citizens of Iredell county, relative to appointment of justices.

By Mr. Candler, from citizens of Jackson county, asking for a turnpike road.

By Mr. Byrd, petition asking that the

the sale of liquor be prohibited within five miles of Peterson's church, in Yancey county.

By Mr. King, petition relative to the appointment of justices.

By Mr. Bruce, petition from Cherokee county, relating to the appointment of justices.

By Mr. Hardy, petition from Carteret county, relative to the appointment of justices.

REPORTS OF COMMITTEES.

The following bills were reported upon by the various committees:

To establish Roanoke township, in Halifax. To authorize the commissioners of Dare county to levy a special tax. To require all druggists to pay retail liquor license. To authorize Jackson county to levy a special tax. To amend the charter of the town of Matthews. To prohibit certain persons from practicing law. To prevent the felling of timber in Three Top Creek. Resolution concerning the department of Agriculture. To amend chapter 274, laws 1876-77. To repeal chapter 49, private laws 1881. For the relief of farmers in certain localities. For the protection of farmers. To submit the liquor question to the voters of the town of Statesville. To amend chapter 234, laws 1881. To prohibit the sale of liquor in half a mile of W. G. Candler's. To amend chapter 171, laws 1872-73; relates to the sale of liquor near Cherry Grove church, in Columbus county. To establish a graded school in the town of Hickory. Bill of the relief of Elizabeth F. Peatt, of Chowan county. To change the township lines of Ironson and Catawba Springs, in Lincoln county.

RESOLUTIONS.

Mr. Harris, of Davidson, a resolution expressing the sense of the General Assembly in reference to the encouragement of capitalists and others in erecting cotton mills and other manufacturing establishments in this State:

Resolved by the House of Representatives, the Senate concurring. That it is the sense of this General Assembly that it would be both wise and prudent, on the part of this State, for her representatives in the Legislature now assembled, to adopt some such measures as have been put in use by the legislatures of the States of South Carolina and Georgia, by means of which capitalists are induced and encouraged to erect cotton mills and other manufacturing establishments under the pledge on the part of the said States that the capital so invested and the property, machinery, etc., so used, shall be exempt from taxation for the space of ten years, so as to invite and encourage immigration and capital into our State.

BILLS.

The following bills were introduced,

passed their first reading and were referred:

Mr. Stanford, for the encouragement and support of the State Guard.

Mr. Phillips, to provide for the more effectual punishment of crime in courts of justices of the peace.

Mr. Bailey, of Mecklenburg, to authorize personal representatives to recover property conveyed in fraud.

Mr. Montgomery, to amend chapter 234, laws of 1881.

Mr. Nixon, to establish stock law in part of Perquimans county.

Mr. Bennett, to repeal the prohibitory laws as to Salem and Friendship churches, in Stanly county.

Mr. Byrd, to prohibit the sale of spirituous liquor within five miles of Peterson's church, in Yancey county.

Mr. Holt, to amend an act to establish a department of agriculture, immigration and statistics, and for the encouragement of sheep husbandry.

Mr. Grissett, to amend section 5, of the omnibus prohibition bill of 1881.

Mr. Callister, to amend the charter of the town of Mt. Pleasant, in Cabarrus county.

By Mr. Bower, to incorporate "Globe Academy," in Caldwell county.

By Mr. McLoud to better regulate the serving of notices and taking of depositions in contested election cases.

By Mr. Overman, to authorize the board of commissioners of Rowan county to pay W. G. McNeely seventy dollars.

By Mr. Candler, to construct a road in Jackson and Transylvania counties.

THE CALENDAR

was taken up and the following bills disposed of as follows:

To authorize the county of Halifax to fund its floating debt. Third reading.

To abolish the State Board of Health. Informally passed over.

SPECIAL ORDER.

The bill relating to divorce being the special order for this hour was taken up and discussed by Messrs. Bailey, of Mecklenburg, Green, of New Hanover, Powers, of Cumberland and Forbis.

Mr. Simmons said: I oppose this bill because its tendency is to place woman on a level with immoral man. When we undertake by law to elevate man to woman's throne of purity, we to that extent drag her down to the common and vulgar level of man. Our Creator, in His own inscrutable wisdom, made her weaker and purer than man, so that we being stronger may love protect and defend her; and for us to do so we must consider and have her purer and more virtuous than ourselves. Old North Carolina, be it said to her glory, has made it difficult to break the laws of matrimony, and I hope this legislature will not

legislate after Northern States, which to day in the South are so much condemned. For lovely woman—for the purpose of keeping her still elevated above the common level of immoral man—I shall vote against this bill and hope the House will not pass it.

Mr. Matheson moved to amend by making conviction and sentence to the penitentiary for 10 years sufficient cause for divorce.

Mr. Newell moved to amend by making five years sufficient.

Mr. McCotter moved to amend so as to make one year sufficient.

Mr. Bailey, in the course of his remarks, stated that thirty-six States and territories had adopted this law.

Mr. Peebles was opposed to the bill and thought it would be inoperative, in that it would hold out inducements to married couples who were living unhappily for the man to commit adultery; and that it would not make even one man in the State more virtuous, but in all cases where the parties wished a divorce it would hold out an inducement to the man, and the wife for the husband to commit adultery. He paid a high tribute to the purity of woman.

Mr. Frazier was in favor of the bill, and said that it was a remedy that ought to be given to woman; stated a case where a man in his own county openly violated his marriage vow, and when interrogated as to why he could not be indicted, said because the grand juries were tainted in the same way. He said in reply to Mr. Bunn, he thought the law would apply in the case he had just alluded to. He thought the safety and purity of woman demanded that this bill be passed.

Mr. Bunn moved to lay on the table, upon which Mr. Poe called the ayes and nays, which was sustained. The vote to table was as follows:

AYES—Baker, Beall, Belcher, Bennett, Bledsoe, Bradley, Bullock, Bunn, Cain, Covington, Forbis, Gatling, Green, of New Hanover, Harris, of Davidson, Henderson, Hewlin, Holt, Holton, Jenkins, Lawrence, Leary, Mathis, Myers, Overman, Page, Patrick, Peebles, Pittman, Posey, Proctor, Robbins, Sherrill, Steed, Stewart, Strudwick, Tate, Temple, Thompson—38.

NAYS—Anderson, Bailey, of Mecklenburg, Bailey, of Wilson, Ball, Barrett, Baum, Bower, Bridgers, Brown, Bryan, Byrd, Candler, Cheek, Crouse, Cowell, Eaton, Frayser, Fulton, Glenn, Green, of Franklin, Grissett, Gudger, Hamilton, Hardy, Harrison, Harris, of Wake, Hayes, of Robeson, Hayes, of Swain, Houston, Johnson, of Craven, Johnson, of Johnson, King, Landreth, Leazar, Lenoir, Liles, Lineback, McAllister, McCotter, McLoud, Marsh, Matheson, Mitchell, Montgomery, Newby,

Newell, Nixon, Person, Philips, Poe, Powers, of Cleaveland, Powers, of Cumberland, Ray, Reid, of Gaston, Reade, of Person, Reynolds, Riggs, Sandifer, Simmons, Smith, Speller, Stanford, Stokes, Stringfield, Sutton, Tomlins, Turner, Waddell, Walker, Williamson, Wilcox, Wilson—72.

Mr. McCotter withdrew his amendment, and Mr. Matheson withdrew his amendment, as did Mr. Newell.

Mr. Lenoir moved to amend by making a single act in the wife and habitual adultery in the husband good grounds for a divorce.

Mr. McCloud said that the friends of the bill only proposed to place North Carolina upon the same footing as every other State in the Union, except one or two, and to place the women of North Carolina on the same high plane that they occupied in other States; that the law, as it now stands, allowed a husband to carry his vices before his wife's very eyes, and commit in her presence enormities which a brigand and the basest wretch on earth would blush at; that the law, as it now stood upon the books, was a disgrace to the State. He was opposed to the amendment of Mr. Lenoir because it drew a line between man and woman, and he asked why North Carolina women could not be trusted when they were as good, true and virtuous as any the sun ever shone on? If she was not, then tie her down and make a slave of her, but not pretend to make her free without in reality doing so. He was in favor of investing her with the same rights that she had elsewhere, and put her upon an equality with man.

Mr. Forbis was in favor of Mr. Lenoir's amendment, and with it would vote for the bill, but was opposed to the original bill. Thought there ought not to be such radical legislation as the bill first proposed, and that it ought to be considered coolly and calmly, but with the amendment he hoped it would pass. He then spoke of the difference between a divorced husband and a divorced wife in a social point of view.

Mr. Sherrill moved to amend, as follows: Provide, that if the husband be convicted of adultery it shall not be a cause of divorce, but he shall be deemed guilty of a misdemeanor, punishable with fine and imprisonment, at the discretion of the court.

Mr. Stanford thought that the bill would check vice in husbands. That the opponents of the bill said that women should be elevated to a higher plane than man, but when there was an opportunity to do that they opposed it. That the rights of children would be better protected under this bill than they would without it. That the law applied to woman and why not apply it to the man? He could see no reason why it should not be done, and the law be

made to bear upon the man and the woman alike.

Pending the consideration and discussion of this bill, the hour for adjournment arrived, and the House stood adjourned until 10 o'clock to-morrow.

SENATE.

TWENTY-SIXTH DAY.

WEDNESDAY, January 31.

The Senate was called to order at 10 o'clock, Mr. Morehead presiding.

PETITIONS.

Mr. Scott, of New Hanover, petition from 500 citizens of New Hanover, asking an appropriation for the State Guard.

Mr. Alexander, bill for the relief of Mr. Flow and others.

Mr. Pinnix, petition from citizens of Davidson to drain the low lands of Potts' creek; also two petitions, one for and the other against the drainage of the lowlands of Daker's creek.

Mr. Toon, asked indefinite leave of absence for the Senator from Robeson, who was at home sick. Granted.

Mr. Lyon, bill to protect the interest of cotton planters in North Carolina.

Mr. Pinnix, bill to drain the lowlands of Potts creek in Davidson.

Mr. Pinnix, bill to drain the lowlands of Daker's creek in Davidson.

Mr. Webb, bill to incorporate the Shelby Baptist Female College.

Mr. Clark, resolution instructing the Attorney-General for immediate suit against the parties in possession of the Western North Carolina Railroad for the payment of interest due the State on the bonds of said road for 1881 and 1882.

Mr. Scott, of New Hanover, bill for protection of shipping.

Mr. Watson, bill for protection of fish in Dan river. Also, bill for protection of fishing in Cashie river, Bertie county.

Mr. Webane, bill to repeal chapter 255 laws of 1874-75.

House bill 297, Senate bill 354, to amend the liquor law in Northampton county, passed third reading. (This was the bill regulating the sale of liquors, which was discussed yesterday.)

Mr. Clark, bill to levy a tax in Craven for the benefit of the jail in Newbern.

CALENDAR.

Bill for repealing the omnibus bill of 1881.

Mr. Watson moved to recommit for the purpose of narrowing the limits of the bill.

Mr. King, of Cherokee, was opposed to modifying or repealing, and moved to table the bill.

Mr. Loftin asked the ayes and noes on the motion to table. Granted.

The bill was tabled—yeas 23, nays 22.

Bill to repeal the act for the better protection of fishermen and farmers so far as it relates to the city of Wilmington.

Mr. Scott opposed the bill, and also an amendment to leave the repeal of the ordinance to the vote of the people of Wilmington.

Mr. Dortch spoke in favor of the bill. The amendment was lost.

Mr. Hill opposed the bill.

The bill passed by a vote of, ayes 27, nays 11.

Bill to incorporate the North Carolina Tobacco Exposition was, on motion of Mr. Evens, put on its readings and passed.

Mr. Jones got leave of absence for the Senator from Madison till Tuesday next.

Bill as special order to prevent live stock from running at large in certain portions of Lenoir and Green counties.

Mr. Loftin offered an amendment.

Mr. Dortch said the bill passed the House almost unanimously, and a petition had been presented of at least two thousand names in favor of the passage of this bill; the landholders almost unanimously were in favor of it. He said the day would come when the larger portion of the people of North Carolina would favor a stock law and the sooner it came the better. He opposed the amendments of the gentleman from Lenoir. He had letters from prominent Republicans in that county asking him to favor the bill for the interest of the landholders in that county, he knew that the non-land holders down there were opposed to it and if submitted to a vote he thought it would be defeated.

Mr. Loftin opposed the bill, he wanted it voted upon by the people, and men like the Senator from Wayne and others to go among them and advocate it, then he would be in favor of it. He was pledged to his people to oppose it.

Mr. Linney in favoring the bill said, when a man knew a good thing would be endorsed by the people when they had tried it then it was his duty to go in advance of them and vote for it—that made the statesman—the rest the demagogue.

Edmond Burke once said he didn't vote for what the people wanted now, but for what he knew they would want in less than five years. He should vote for the bill, he knew nothing of the people down there, but he did know that wherever there was brains the fence law was bound to be the law, and he believed they were intelligent people down that way.

Mr. Whitford supported the bill as did also Mr. Caho.

Mr. Alexander opposed the amendment. He was opposed to submitting questions to the people, which didn't involve the right of taxation and then again it would make great hardship as thirty days notice would

have to be given and it would throw the time away up in April, and now was the time when they were getting their crops in. The law was in force in his county and the people didn't want to get back, and after two years' trial the other party wouldn't permit any opposition to him.

Mr. S. Rayhorn asked how they could get back even if they wanted to.

Mr. Linney said they could elect and send a member who was opposed to the law.

Mr. Strayhorn opposed the bill. He knew some of the largest farmers—Democrats—in Orange who had voted every time against a stock law. There was no way to get out of the law if once in it.

Mr. Watson said as the Senator from Lenoir thought the law would benefit him he asked him if he was an owner of real estate.

Mr. Loftin—Yes sir.

Mr. Watson, would it benefit the landholders there?

Mr. Loftin, yes, sir, almost unanimously.

Mr. Watson—Now I would like to know of the Senator from Orange if he is opposed to a bill benefiting the landholders?

Mr. Strayhorn—I am opposed to all stock laws unless by a vote of the people.

Mr. Watson—Then you are in favor of the non-property men controlling the landholding interest of the country. The Senator from Orange is welcome to his position.

The amendment was not adopted. Ayes 10. Noes 27.

Mr. Loftin offered an amendment, not to go into effect till January 1st, 1884, &c.

Mr. Strayhorn said: I am in favor of the amendment offered by the Senator from Lenoir, submitting this question to the qualified voters in the territory embraced in the bill. I, for one, do not believe it right or just that a majority in this Senate should override the will of the people, and the Senator from Wayne has stated that a majority of the voters in his district are opposed to this law. The Senator from Mecklenburg has stated that no community which has adopted the stock law, has ever repealed it. I would ask the Senator if there is any provision of law which enables a community having adopted the stock law, to rid themselves of it, and return to the old system. I affirm there is none, but there ought to be. As the law now stands, any district which has adopted the stock law, is compelled to live under it, no matter how badly it may work—like the tracks to the lion's cave, they all lead in, but none out—so with the adoption of this stock law. I shall vote for the amendment and hope that this matter may be submitted to the people.

Mr. Poole called the previous question, and the main question was ordered.

The amendment was not adopted; ayes 12, nays 24.

The bill passed its second reading, and Mr. Loftin called for the ayes and nays on the suspension of the rules to put it on its third reading; vote stood ayes 23, nays 8, so the rules were suspended, and the bill put on its third reading, on which Mr. Dortch called the previous question, and Mr. Strayhorn asked the ayes and nays; not ordered. Bill passed its third reading.

Bill in reference to the plan of the town of Wilmington.

Mr. Scott explained that the old plan was lost, and this is for a copy. He moved the reference of the bill to the judiciary.

Mr. Payne, bill to establish a normal school at Monroe.

Bill to amend the law of attachment passed third reading.

Mr. Boykin, bill to change the constitution. It provides that the money for education from the tax on property and polls of the white race be applied to the education of the children of the white race, and that from the colored race to the education of their children. If the money collected from polls and property of either race be not sufficient to enable the county commissioners to comply with the requirements, then they shall not be liable to indictment, etc.

Bill to incorporate the North Carolina Christian Colored Conference passed third reading.

Bill allowing creditors in certain cases to sue before claims come due.

Mr. Dortch explained that it was where the debtor was about to dispose of his property, or about to abscond, but if the debtor prove that such is not the case, he shall have judgment for costs and be entitled to sue the creditor for damages sustained.

Mr. Toon opposed the bill. He regarded it as a violation of contract between parties, and could be used as an engine of hate and malice.

Mr. Poole spoke against it.

Mr. Dortch trusted if the Senate could better perfect the bill it would do so. He would like it fully discussed, and wished no vote on the bill to-day.

Mr. Jones was in favor of the bill, but would like a certain amendment, which Mr. Dortch said he would accept.

Mr. Payne favored the bill.

Mr. Scott, of Rockingham, sent an amendment.

Mr. Dortch moved that the bill and amendments be made special order for next Friday at noon. Ordered.

Bill allowing the Gas Company of Raleigh to increase their stock from fifty thousand to one hundred thousand dollars. Passed its third reading.

Bill to define the line between Bladen and Columbus.

Mr. Toon offered an amendment.

Adopted. The bill passed its third reading.

Mr. Pinnix's resolution in regard to the election of justices of the peace.

Mr. Pinnix said he had something less than a cart load of petitions for the appointment of magistrates, and this resolution threw them before the committees.

Mr. Scott, of Rockingham, preferred them offered in the Senate, as here they had the calendar to show that they were presented. Resolution adopted.

Bill to repeal the purchase tax now levied on liquor dealers, on motion of Mr. Strayhorn, was referred to the committee on finance. Adjourned.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Speaker Rose in the chair.

Prayer by the Rev. Dr. Skinner, of Salisbury Street Baptist church, of this city.

The reading of the journal was dispensed with and it stood approved.

PETITIONS

were introduced as follows:

Mr. Sherrill, relative to the appointment of a justice of the peace for Newton township, Catawba county.

Mr. Holt, asking for prohibition in certain localities.

Mr. Harris, of Wake, petitions from citizens of Wake county, praying that convict labor shall not be placed in competition with honest labor in said county.

Mr. Tate, relative to the sale of liquor at Rutherford College.

Mr. Wood, from Kinston, relative to graded schools.

Mr. Williamson, from Brunswick county, relative to the appointment of a justice of the peace.

Mr. Gudger, from Buncombe county, relative to the appointment of a justice of the peace.

Mr. McCloud, from Halifax county, opposing the establishment of a township in said county.

Mr. Ray, from Macon county, asking for a change of name of Blue Ridge township to that of Highlands. Asking that the town of Highlands be incorporated. Petitions relative to the appointment of justices.

Mr. Worthington, from the citizens of Plymouth to keep in force ch. 62, private laws 1881.

Mr. Powers, of Cleveland, from Cleveland county, relative to the sale of liquors near Zion Baptist Church.

Mr. Bennett, petitions from Stanley county asking the repeal of prohibitory laws as to Salem and Friendship churches said county.

REPORTS OF COMMITTEES.

The following bills were reported on by various committees:

To incorporate the Yanceyville Grand United Order of Benevolence.

To incorporate Spring Shoals Manufacturing company.

To incorporate the Rutherford Railroad Company.

To incorporate the Enterprise Manufacturing Company.

To construct a road in Jackson and Transylvania counties.

To provide for the completion of the Midland North Carolina Railroad Company.

To allow in certain cases the extension of term of a court.

To facilitate the construction of the Newbern and Beaufort Canal.

To increase the fees of justices of the peace.

To amend section 5, chapter 334, laws of 1881.

To incorporate the Cabarrus County Cooperative Association.

To abolish the fees of justices of the peace.

To incorporate Globe Academy.

Relating to the Board of County Commissioners.

To amend chapter 13, laws 1880.

To amend chapter 11 of Battle's Revisal.

To make more effectual the punishment of crime in courts of justices of the peace.

RESOLUTIONS.

Mr. Ray, in favor of L. Howard, of Macon county.

Mr. Hayes, of Robeson, instructing the committee on privileges and elections. Instructing the committee on agriculture to report a bill, and one of inquiry from the same. Changing the tax on guano from \$5.00 to twenty cents per ton.

Mr. Williamson, in regard to the time of meeting of the House of Representatives.

BILLS.

The following bills were introduced, passed their first reading and were referred as follows:

Mr. Bunn, to make fishing with a seine or net in Sappany Creek, Crossing township, Nash county, a misdemeanor. Judiciary committee.

Mr. Poe, to amend section 1,441 of the Code. Judiciary.

To amend section 3,584 of the Code. Judiciary.

To amend section 3,605, chapter 106, of the Code. Judiciary.

To amend section 3,633 of the Code. Judiciary.

To amend chapter 111 of the Code. Judiciary.

Mr. Bailey, of Wecklenburg, act relating to the enforcement of mechanics' and laborers' liens. Judiciary.

To allow husbands of insane wives to convey their lands. Judiciary.

Mr. Hewlin, to amend chapter 264, laws 1879. Judiciary.

Mr. Turner, relative to the sale of liquor within two miles of Common Chapel, in Moore county. Propositions and grievances.

Mr. Stringfield, to prevent the felling of timber in any of the creeks or rivers in this State. Propositions and grievances.

To prevent the felling of timber in Pigeon river. Propositions and grievances.

Mr. Ray, to protect deer in certain seasons of the year. Propositions and grievances.

Mr. Harrison, to amend chapter 234, laws of 1881. Propositions and grievances.

Mr. Anderson, to repeal chapter 143, laws of 1881. Propositions and grievances.

Mr. Harris, of Davidson, to charter the Thomasville and Silver Valley Railroad Company. Corporations.

Mr. Reid, of Gaston, to incorporate Wilson's factory. Corporations.

Mr. McLoud, to amend the charter of the town of Asheville. Corporations.

Relating to the gas and water supply for Asheville. Corporations.

Mr. Worthington, to incorporate the town of Palmyra, in Halifax county. Corporations.

Mr. Ray, to incorporate the town of Highlands, in Macon county. Corporations.

Mr. Page, to incorporate the Carolina Wharf, Warehouse and Compress Company. Corporations.

Mr. Gatling, to change the name of the Edenton and Norfolk Railroad Company. Internal improvements.

Mr. Wilcox, to establish graded roads in the counties of Wilkes and Ashe.

Mr. Bunn, to establish graded schools in Tarboro township, Edgecombe county. Education.

Mr. Wood, to establish a graded school in Kinston. Education.

Also to create four new townships in the county of Lenoir. Counties, cities, towns and townships.

Mr. Ray, to change the name of Blue Ridge township, in Macon county, to that of Highlands. Propositions and Grievances.

Mr. Harris, of Wake, to amend section 3, chapter 306, laws of 1879. Calendar.

Mr. Overman, an act relating to the Salisbury graded school. Calendar.

Mr. Bledsoe, to repeal chapter 58, private laws of 1881.

Mr. Bunn, to incorporate the Rocky Mount Agricultural and Mechanical Association. Corporations.

THE DIVORCE BILL.

The unfinished business was then taken up, it being the bill relating to divorces pending the consideration of which the House on yesterday adjourned.

Mr. Powers, of Cumberland, hoped the amendment making habitual adultery in the husband sufficient cause for divorce would be voted down as it was hard

enough to prove one act and it would be impossible to prove habitual adultery.

Mr. Bunn said the gentleman who reported adversely on this bill claimed to be the peer of any man in this House or in the State in their high admiration for women. That he did not consider that the virtue or purity of the women of the State was in question.

Mr. Sherrill was in favor of the original bill without the amendment, but would be willing to vote for it even with the amendment.

Mr. Peebles was opposed to the bill and said that in the States where divorces were easily obtained there was a tendency to run into free loveism and thought that it would have a tendency to degrade instead of elevating women. That God when he created man and woman placed a distinction between them and that we could not tear it down by legislation because the power of the Omnipotent had placed there. Alluded to the case cited on yesterday and said if public opinion would not enforce the law against fornication and adultery in that case would public opinion sustain the passage of this bill. He thought that the bill as amended would be all that was needed.

Mr. McCloud cited the case of Miller vs. Miller in 78 North Carolina Reports, and said that although in conformity with the law, such a law was an insult to woman and a disgrace to the State.

Mr. Peebles moved to amend by adding the words, "Or shall commit adultery with a woman occupying the position of a domestic servant in his house."

Mr. Bailey, of Mecklenburg, in closing the debate, said that this bill was in the direction of high-toned legislation, and that it would tend to operate as a restraint upon husbands, and that a good and loving wife, if her husband should fall, would, if frankly admitted, forgive, aye, perhaps many times; that the true character of woman is best depicted by Pauline when she likens her sex to the insects caught by the glitter of a garish flame, but "oh! the wings once scorched they cling by the fatal light till death." In closing his remarks he called the previous question.

The question first was on the amendments of Messrs. Peebles and Lenoir, in the order named.

The amendment of Mr. Peebles was lost by a vote of yeas 21, nays 80.

The amendment of Mr. Lenoir was lost by a vote of yeas 51, nays 59.

The bill then passed its second reading by a vote of yeas 64, nays 48, after which it took its place on the calendar.

The special order for this hour was, on motion, postponed until 11 o'clock Tuesday, it being an act in relation to judicial districts.

SPECIAL ORDER,
an act to amend chapter 240, laws of 1879, was passed over informally.

CALENDAR

was then taken up, and the following bills disposed of as follows:

To incorporate the Rutherford Railroad Company. Second reading.

To construct a road in Jackson and Transylvania counties. Third reading.

Resolution concerning the Department of Agriculture. Adopted.

To prevent the felling of timber in Third Top creek. Third reading.

To establish a graded school in the town of Hickory. Second reading.

Mr. Procter offered a resolution instructing the finance committee to report House bill No. 470.

Mr. Bunn moved to table, and Mr. Procter on that motion called for the yeas and nays. The call was sustained, and the resolution was tabled by a vote of 58 to 44.

Messrs. Worthington, Peebles, Bower, King, Newby and Sutton rose to questions of personal privilege.

Bill to authorize commissioners of Rowan county to pay W. G. McNeeley. Passed its third reading.

To repeal the act incorporating the Cotton and Merchants' Exchange of Goldsboro. Passed its third reading.

To establish Roanoke township, in Halifax county. Informally passed over.

To prevent the felling of timber in Four Top Creek. Passed its third reading.

Resolution to commence night sessions on February the 12th. Adopted.

To repeal chapter 95, laws 1879. Withdrawn.

Substitute for an act in relation to cotton weighers. Informally passed over.

To authorize the commissioners of the county of Cherokee to issue bonds, &c. Passed its second reading.

Substitute for an act to repeal chapter 117, laws 1879. Pending the consideration of this bill the hour for adjournment arrived, and the House adjourned.

SENATE.

TWENTY-SEVENTH DAY.

THURSDAY, February 1st, 1883.

The Senate was called to order at ten o'clock.

The journal of yesterday read and approved.

Mr. Linney asked leave of absence for the Senator from Yadkin until after Thursday.

Mr. Evans, petition from members of the bar in Wilmington, asking for four three-week terms of the superior court.

Mr. Linney moved to suspend the rules, and take up S. B. 406, authorizing the town of Statesville to rebond its bonded debt. It was so done. There will be a sale of the

Statesville Female College, February 5th, and the bill gets time on the town debt, so as to purchase it. Passed its third reading.

Mr. Evans asked a suspension of the rules that bill 342 be taken up and passed, providing for the payment of certain school teachers in Caswell. The rules were suspended, and the bill passed its third reading.

Mr. Battle asked suspension of the rules to take up bill 423, in regard to the sheriff of Warren county. The rules were suspended, and the bill put on its readings. Mr. Battle explained the nature of the bill, and spoke of the indulgence and cleverness of the sheriff. Mr. Goodwyn and Mr. Carter also spoke for the bill. Passed third reading.

Mr. Purnell, bill to incorporate Citizens' Trust Company, also bill to amend chapter 13, acts special session 1880.

Mr. Loftin, joint resolution for the General Assembly to visit Goldsboro Graded School and Asylum next Monday, 5th; to go Monday and return Tuesday. There would be a special train.

Mr. Dortch said a good many members desired to pay the visit and he was requested by the officers to extend an invitation, Col. Andrews had offered a special train to start Tuesday at 8 a. m. and return in the evening.

Mr. Watson opposed it.

Mr. Scott offered a substitute returning thanks for the invitation, but respectfully declining the same on account of pressing business.

Mr. Scott's amendment was adopted.

Bill to incorporate the "American Legion of Honor."

Mr. Scott, of Rockingham, asked attention to certain matters in the bill, and Mr. Clarke spoke to the bill, which finally passed its third reading.

Bill to repeal the ordinance relating to the market house in Wilmington, came up on its third reading.

Mr. Scott, of New Hanover, presented petitions from a number of the citizens, protesting against the passage of the bill. He said there were forty or fifty Democrats in Wilmington, butchers and others, some paying as much as \$600 a year rent, that this bill would break up. He believed he was speaking for nine-tenths of the citizens of Wilmington.

Mr. Scott amended, on the third reading, to submit it to the votes of the people. He spoke to the amendment. It was lost, ayes 13, nays 25.

The bill passed its third reading.

Bill concerning the town of Middleburg, in the county of Vance; substitute for the same passed its third reading.

Bill to incorporate the insane asylums of the State, and for other purposes. Passed its third reading.

House and Senate bill regarding dirt turnpikes, and the building of bridges over navigable streams.

Mr. Pemberton thought these bridges needed in the mountains; it would please the Western people, and he should vote for the bill. He thought the great State of North Carolina should not require the payment of \$25 for granting them the privilege.

Messrs. Watson, Boykin and Jones also favored the bill. It passed its third reading.

Mr. Lovell, of Watauga, also spoke for the bill.

Resolution of instruction to the members in Congress for their influence to present the transfer of the revenue marine, light houses, &c., to the Navy Department. Adopted. It is a joint resolution.

Bill making provision for holding spring term of Madison court was called up by Mr. Jones. Passed its third reading.

Bill to more effectually prevent the wrongful removal of joint fences.

Mr. Linney said the bill without the amendment made the removal of the joint fence the same as the removal of any other fence; he hoped the amendment of the committee would be voted down; it gives the joint owner three months notice. The amendment was adopted. The bill passed its third reading.

Bill to relieve from the operations of the stock law. Mr. Ramsay's bill gives thirty days notice and provides an election to vote "stock law" or "no stock law." There was an adverse report from the committee.

Mr. Battle moved to lay the bill on the table, but withdrew it that the Senator from Rowan might be heard.

Mr. Ramsay spoke to his bill. He explained that even if the people decided to do away with the law, the county commissioners would have to wait six months and then give thirty days notice in time for the fences to be put up.

Mr. Morehead wanted to know if there was any provision for building up the farmer's fences for him.

Mr. Ramsay said it was contemplated that the farmer should build the fences himself. He said this was an issue in his part of the district last spring. He asked if the same people who make a law have not the same power to unmake it.

Mr. Pemberton hoped the bill would not pass. In Cabarrus county the law had been in force six years, the rails were all gone, the people were contented, and to pass this bill would stir up strife in every township where a few men were disgruntled, and there was not timber enough in the county to put back the fences. Representing the property of the people as well as themselves, he was compelled to oppose the bill.

Mr. Payne said he had a petition, signed by 400 citizens of Union, in a district that had adopted the stock law. They were thoroughly satisfied with that law, and there had not been a single petition to get rid of it. The keynote was sounded by the gentleman from Stanly, that all the rails had been burnt, and after spending about four thousand dollars to put a fence around that district it would be an enormity in this Legislature to change the law.

Mr. Linney spoke earnestly against the bill, it was violative of that principle which forbids the taking away of vested rights; he did not believe that the county of Davie wanted to be relieved of the law; the Cain matter was a mere hobby; wealthy Republicans who approved of the stock law were driven to it under the crack of the whip from the Senator of Rowan; they would condemn Cain in the next campaign as badly as the old Cain of the Bible was condemned.

Mr. Watson asked Mr. Ramsay if in Rowan county, where the law had been tried for years, there was complaint?

Mr. Ramsay said he did not think there was.

Mr. Strayhorn asked if the stock law became popular so soon what was the objection to this bill?

Mr. Watson said he did not say they became enamored with the law so soon; they had to be trained to it and then they liked it. He charged the Republicans with making war on the farmers' best interests for the sake of party capital. He referred to the clock's stopping when Mr. Ramsay was speaking and only began to run again when Mr. Linney took the floor for the progressive interests of farmers.

Mr. Strayhorn said it was for good the clock stopped, like the sun when it stood still, it was to give Mr. Ramsay a plenty of time.

Mr. Watson replied: Yes, and if the Republican party had been present when the sun stood still they would have tried to have made some political capital out of it.

Mr. Pinnix said if this bill passed there were enough of the Hairston and Carter negroes in Davie to overturn the law; negroes who had no other interest outside of people's smoke houses.

Mr. Ramsay again spoke for his bill. He said Mr. Cain, the Representative from Davie, owned more landed property than any man in the county.

Mr. Pinnix moved to table the bill.

Mr. Ramsay got the yeas and nays. Tabled—yeas 27, nays 10.

Bill to amend section 1, chapter 288, laws 1881. Passed its third reading.

Mr. Strayhorn got leave of absence for the Senator from Rutherford till after Thursday.

Mr. Pemberton got leave of absence for

the Senator from Lincoln from and after to-morrow.

Bill to repeal chapter relating to certain towns and villages in Bertie county.

[Mr. Strayhorn arose to a question of personal privilege—as to his answer to Mr. Watson in opposition to the landholders. He was not opposed to benefitting landholders, but was opposed to all stock laws, unless by vote of the people.]

[Mr. Perry, of Burke, said he had said nothing on the stock law yesterday; it was Mr. Linney's speech, and he wanted him to have the full credit.]

[Mr. Loftin said he did not say he was not in favor of the stock law yesterday, but only suggested that men like Senator Dortch and others prepare the people for it and the law be voted on.]

[Mr. Pinnix asked and obtained leave to record his vote on the Wilmington bill, which was disposed of while he was in attendance upon a meeting of the Board of Trustees of the University.]

[It was, on motion of Mr. Evans, not Eaves, that the rules were suspended, and the Durham tobacco exposition bill passed yesterday.]

[On the motion referring petitions for magistrates to the committees, Mr. Scott, of Rockingham, said he preferred them offered in the Senate—not "prepared" as it was printed. The report was hastily written and difficult to read.]

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Mr. Speaker Rose in the chair.

The reading of the journal was dispensed with, and it stood approved.

PETITIONS

were introduced as follows:

Mr. Thompson, petition asking for the working of public highways by taxation.

Mr. Smith, petition of Mary R. Moore asking an appropriation.

Mr. Myers, petitions relative to the appointment of justices of the peace.

Mr. Proctor, relating to the liquor tax.

Mr. Johnson, of Craven, from citizens of Craven county protesting against the annexation of a part of Craven to Carteret.

Mr. Harris, of Wake, from citizens of Wake, praying that convict labor be not brought in competition with honest labor.

Mr. Patrick, from Tyrrell, asking that a tax be levied on mill logs and other unmanufactured timber shipped out of this State to other States.

REPORTS OF COMMITTEES.

Various committees made reports on the following bills and resolutions:

Resolution expressing the sense of the General Assembly relative to the encouragement of capitalists. To make bonds issued by the State or any municipal corporation under or by authority of the State redeem-

able after five years. To prevent the felling of timber in Pigeon River. An act to establish a department of Agriculture Immigration and Statistics, etc. To regulate the serving of notices and taking of depositions in contested election cases. To amend section 1, chapter 262, laws 1881. To prohibit the sale of liquors within one mile of Chapel Hill church in Iredell county. To authorize personal representatives to secure property conveyed by fraud. To repeal an act amending the law prescribing the duties of coroners. To make it a misdemeanor to fish with lines or nets in Sappony Creek in Nash county. To amend chapter 284, laws 1881. To repeal the law making Hiwassee River a lawful fence. To prohibit the sale of liquors in certain localities in Madison county. To amend the charter of the town of Mount Pleasant, Cabarrus county. To amend section 3,605, of chapter 106 of the code. To amend section 1,441 of the code. To amend section 1, chapter 127, laws 1879. To amend chapter 264, laws 1879. To establish stock law in a part of Perquimans county. To amend section 3,633 of the code. To prevent the felling of trees in North Hunting creek, Iredell county. To prevent the felling of timber in any of the creeks or rivers of this State. To lay off a new county to be called Richland. To change the name of the Edenton and Norfolk Railroad Company and to amend the charter. To amend section 3,584 of the code.

BILLS

were introduced, passed their first reading and were referred as follows:

Mr. McLoud, to amend the law changing the time of holding the courts in the ninth judicial district. Calendar.

Mr. Holton, to make it a misdemeanor to employ a minor without the consent of the parent or guardian. Judiciary.

Mr. Harris, of Wake, by request, act relative to the fence law. Judiciary.

Mr. Bailey, of Mecklenburg, to amend sections 27 and 42 of the Code of Civil Procedure. Judiciary.

Mr. Stringfield, to regulate the sale of liquor in certain localities in this State. Propositions and grievances.

Mr. Hardy, concerning hunting for wild fowl. Propositions and grievances.

Mr. Patrick, to authorize Tyrrell county to levy a special tax. Finance.

Mr. Stanford, an act making appropriations for the insane asylums. Finance.

Mr. Sherrill, to incorporate Wesley Chapel church and camp ground, in Catawba county. Corporations.

Mr. Patrick, to authorize the commissioners of Tyrrell county to sell certain property. Cities and towns.

Mr. Newby, to amend section 3, chapter

82, laws 1879. Railroads, postroads and turnpikes.

Mr. Bailey, of Mecklenburg, to define and limit the fees of clerks of the Superior Court. Salaries and fees.

Mr. Smith, to pay Mrs. Mary R. Moore for services. Propositions and grievances.

Mr. Proctor, to allow clerk of the Supreme Court fees in certain cases. Salaries and fees.

Mr. Page, to make conductors special policemen. Propositions and grievances.

THE CALENDAR

was taken up, and the following bills disposed of as follows:

To incorporate the Rutherford Railroad Company. Passed its third reading.

Leave of absence was granted to Messrs. Peebles, Tomlin and Stringfield.

To amend the act changing the time of holding the courts of the 9th judicial district.

SPECIAL ORDER

for this hour, being an act to change the time of certain counties for settling with the State Treasurer, was taken up.

Mr. Glenn said he hoped the House would pass this bill; it would be of great benefit to the people in the tobacco counties; that his county had always paid up promptly, but the farmers would be greatly benefited by the change; that tobacco was most always low in the fall, and then he had known tobacco that sold for four or five dollars in the fall bring from eight to fifteen dollars in the spring; that tobacco manufacturers were not generally on the market in the winter, and tobacco was most always low; that he had seen the State Treasurer, and that he said he would be glad to have part of the taxes coming in the spring, and asked if it would not be better to allow these people four months longer than to cause them to sacrifice their tobacco in the fall, for the money to lie in the vaults of the Treasury, when if they held their tobacco they might realize twice or three times as much. He said that in old times taxes were collected in the summer, which suited his people very well, but it was then changed to the fall to suit the large majority of counties who raised cotton, as the fall was the best time to sell cotton; that he did not wish to interfere with those counties, but only wanted to allow the tobacco counties to have a time that suited them equally as well.

Mr. Poe thought such a law would meet with the approbation of the people of western North Carolina particularly, and hoped the substitute of Mr. Glenn would be passed. That the present law worked a hardship on the people of those counties, and that the substitute would give them the needed relief.

Mr. Williams, of Granville, was forcibly and favorably impressed with this substi-

tute, and said it would hurt no county in the State. He was as much opposed to class legislation as any one, and would vote for no bill, even in favor of his own county, which would militate against the rest of North Carolina. All this act asked was to change the time of paying taxes, and it only postponed the collection of the State taxes. He hoped it would pass unanimously, because it hurt no one, and benefited a deserving class of our people.

Mr. Eaton hoped that the bill would pass, because it was needed by the people of the tobacco counties, and would hurt no other county.

Mr. Sherrill could not see any objection to the bill because it affected no other county, and would not effect the State in the least as the Treasurer preferred that the taxes should not at all come in at once.

Mr. Punn favored the bill.

Mr. Cain moved to insert Davie because his county was a tobacco growing county and needed it. The substitute was adopted.

The bill as amended by the substitute then passed its third reading. The next

SPECIAL ORDER,

being an act to amend the charter of the town of Beaufort, was taken up.

Mr. Poe offered an amendment which was lost.

The bill then passed its third reading.

CALENDAR (resumed.)

To facilitate the construction of the Newbern and Beaufort Canal.

Mr. Powers, of Cleveland, wished to have the bill explained.

Mr. Stanford explained by saying that the State owned some stock in the old Chesapeake and Albemarle Canal Company and it was proposed to give said stock, which was not worth a cent to their company provided they would build this Beaufort and Newbern canal, and that the State would lose nothing and the people of that section would be greatly benefited.

Mr. Page hoped the bill would pass, because it was greatly needed by the people of his section.

Mr. Crouse stated that there was still remaining \$250,000 of the State's interest in this canal, and that while this stock was nearly worthless, he thought the Legislature ought to go slow.

Mr. Robins thought the bill ought to be postponed and printed: that as long as the stock was worthless the State might keep it, but when it was likely to possess some prospective value by reason of a Northern canal being dug, the State was called upon to give it away.

Mr. Barrett thought the State's interest in this canal would not amount to the cost of printing the bill.

Mr. King moved to refer to the committee on finance.

Mr. McCotter said it was of vast importance, and he could see no reason for referring to any other committee as it had been examined by one of the ablest committees of the House and they had reported almost unanimously in favor of it; thought it would be of great benefit.

Mr. Glenn said the only question was would the State be willing to give stock provided the canal was completed.

Mr. McLoud had noticed that all the opposition to the bill came from the west, and that it was a question which effected the east only, and that the eastern members were without regard to political complication in favor of it, and he hoped the west would withdraw its objection.

Mr. Crouse was not opposed to the bill because he was from the west, but only wanted some reason why he should vote for it, and unless some good reason should be given he should vote against it.

Mr. Simmons was opposed to reference to the finance committee.

Mr. Stanford had no interest in this bill, as he did not live in the section it would benefit, and he hoped it would pass today.

Mr. Forbis did not see any necessity in rushing the bill through.

Mr. Holt was in favor of the bill, because the stock was worthless, and that it would greatly benefit those people, and was in favor of giving it in the interest of valuable lives and property.

Mr. Robbins thought that the State was not in a condition to make any appropriation for internal improvements in any part of the State. That the proposition was, so far as he could see, equivalent to appropriating \$25,000 to this company for building two and a half miles of the canal, and if their stock was worthless, why did their company wish it? He wanted the light turned on.

Mr. Page was opposed to referring, because it had already been examined by a committee and thought that to refer it to another committee would be casting a reflection on the committee who had reported favorably on it, and it would be an economy of time not to refer.

Mr. Thompson was a friend of the bill, but was willing to refer.

Mr. Sherrill was in favor of the bill and hoped it would be put through.

Mr. Stringfield, as a western man was in favor of the bill.

Mr. Standford called the previous question and the call was sustained.

Mr. Robins withdrew his motion to postpone and print.

The motion to refer was voted down. Mr. Robins called for the ayes and nays on the bill on its third reading.

The bill then passed its third reading, by a vote of 9 to 16. Messrs. Bailey, of Wil-

son, Bennett, Cheek, Crouse, Harris, of Davidson, Hayes, of Robeson, Jenkins, Lenoir, Liles, McAllister, Patrick, Reade, of Person, Riggs, Robins, Steed, Tate and Temple, voting in the negative.

On motion of Mr. Williams, the rules were suspended and the following bills were taken up:

Substitute for an act for the better protection of the estates of deceased persons, lunatics, &c. Recommitted.

An act relating to the Salisbury graded schools. Passed its third reading.

MESSAGES.

A message was received from the Senate informing the House that the Senate had passed the following bills, which were read and disposed of as follows:

To incorporate the North Carolina Tobacco Exposition. Calendar.

For the relief of N. R. Jones, sheriff of Warren county. Passed its third reading under a suspension of the rules.

The House then adjourned.

NOTE.—In our report of Tuesday, of the debate on the divorce bill, we reported Mr. Frazier as saying the reason why the parties were not indicted, which he referred to in his county, was because the grand juries were tainted with the same disease. Mr. Frazier did not say that, but said they "might" be tainted.

Mr. Cannon yesterday (Wednesday) in debate on the same bill, said that the gentlemen of the committee who reported adversely on the bill, claimed to be the peers of any man in the House of State, "in their high admiration" for woman, and not simply that they claimed to be the peers of any man, &c.

Pending a resolution of censure directed against the editor of the "Economist," newspaper, published in the town of Elizabeth City, the gentleman from Howan, Mr. Sutton, arising to a question of privilege on Wednesday, said:

"I have the honor to represent the county of Chowan on this floor, and I know something of the wants and temper of the people in that adjacent counties. I know that Mr. Seeley stands alone in his opposition to the bill.

Mr. Newby said:

"As I am a representative of Pasquotank county, in which county Elizabeth City is in, I feel it becomes me to say something concerning the statement just read in this house, from the paper of Elizabeth City, called the 'Economist.' I must say that our people in Elizabeth City are not keeping so much fuss over the change of the Elizabeth City and Norfolk Railroad as appears from the reading of the paper just read. Our people believe that when a railroad company builds a road it should have the sole power to change the name or anything else concerning the road.

Therefore, I hope the members of this General Assembly will not consider the words of the 'Economist,' just read in this House, as the general sentiments of the good people of Elizabeth City."

SENATE.

TWENTY-EIGHTH DAY.

FRIDAY, February 2.

Senate called to order at 10 o'clock.

Mr. Watson, petition from citizens of Winston for an appropriation for the State Guard.

Mr. Webb, petition from certain citizens of Cleveland asking prohibition in two and not three miles of Camp's Creek Church, also petition that the Blanton and Beatty school house be not incorporated.

Mr. Clarke, petition from tax-payers of Newbern asking for Graded School.

Mr. Payne reported from the committee on insurance on S. B. 270, and asked to be discharged from consideration of the bill as twenty-five dollar fee did not accompany the same.

Mr. Evans, a substitute to his bill for the protection of crops in Caswell.

Mr. Dortch, bill to incorporate colored orphan home of Eastern North Carolina.

Mr. Neill, bill to prohibit sale of liquor in two and half miles of Snider Chapel in Mitchell county.

Mr. King, of Cherokee, resolution of instruction to our Senators and Representatives in Congress.

Mr. Clarke, bill to establish graded school in Newbern.

Mr. Lyon, bill to protect rice planters on Eagle's Island in Bladen county.

Mr. Woodhouse asked the suspension of rules and the bill incorporating the Narrows Island Club passed its third reading.

Mr. Farmer asked leave of absence for Senator Jones, of Nash, until Tuesday.

Mr. Nebane asked for leave of indefinite absence for Senator from Bertie.

Mr. Lovell asked leave of absence for Mr. Dotson.

Mr. Purnell asked for leave of absence for Mr. Pinnix.

Bill by Mr. Scott, of New Canover, to amend chapter 23 of Battle's Revisal; section second provides that the constables shall reside in the townships where elected or appointed. He read a list of prominent Democrats of Wilmington who wished it passed. The bill takes away the right of Wilmington magistrates to appoint special constables.

Mr. Boykin said for the committee that they looked on the bill as class legislation, besides he had consulted with several gentlemen from Wilmington, and they were all opposed to it, possibly with one exception, one gentleman said to him that the bill was

meant for political effect; he hoped it would be tabled.

Mr. Clark liked the bill; these special constables were like bloodhounds, they were special runners, and they wanted them stopped; he sent up amendment to add Newbern to the bill.

Mr. Strayhorn thought a man should only be deputized in special cases. There is no responsibility behind deputized constables, and if the merchants and citizens of Wilmington wished it, it was as little as we could do to pass it.

Mr. Scott, of new Hanover, said it seemed impossible for a Republican to get a bill through unless it was charged by the other side as a political measure. He urged the passage of the bill. It would be the greatest blessing in the world, if instead of these magistrates in Wilmington, sitting in their offices preying on the people by their special runners, they could have two good magistrates for the city who were paid a good salary. This is why the best men in Wilmington signed that petition to get rid of this curse; there is no politics in it.

Mr. Watson said the statement of the Senator from New Hanover had stirred up a warm place in his bosom; it reminded him of the appeal coming up from the West to get rid of the revenue men; he thought he should vote for the bill.

Mr. Purnell thought a bill now before the judiciary committee, when it was perfected, would cure these evils; this as a local bill would not get rid of it, and he thought too it was wrong in spirit.

Mr. Morehead offered an amendment, "In actions of which justices of the peace have final jurisdiction."

Mr. Alexander said these evils were not confined to the city of Wilmington, and he hoped the bill would go to the judiciary committee and be considered with the general bill of the Senator from Wake.

Mr. Boykin said one reason the committee had for adversely reporting on it was the fact that there was a general bill on the subject.

Mr. Caho hoped it would go back to the committee.

Mr. Strayhorn offered a substitute limiting the power of justices only to special cases for deputizing constables. All the matter was recommitted to the judiciary committee.

On motion of Mr. Pemberton, chairman of enrolled bills, the bill authorizing Granville county to levy a special tax, which had passed and was ordered to be enrolled, was reconsidered for corrections.

Mr. Watson, bill for an alternative method of keeping in repair the public roads of Forsyth. On motion of Mr. Dortch the bill was ordered printed.

Bill to establish a graded school at Lumberton, in Robeson county. The Senator

from Robeson offered amendments, which were adopted. The bill passed its third reading—yeas 29, nays none.

Mr. Clarke asked for a suspension of the rules, and the bill for a graded school in the city of Newbern was put on its readings.

Mr. Richardson said he noticed that the Senator from Jones was absent, and he had asked him to have this bill postponed until his return. The bill was placed at the bottom of the calendar.

House bill to authorize the payment of a certain claim in Lincoln county for repairing a school house, was called up by Mr. Costner and passed its third reading.

Mr. Gray asked for a suspension of the rules to place his bill incorporating the town of "Kill Quick," in Edgecombe, on its readings. Passed.

Bill to protect fish in Greene river. Passed its third reading.

Joint resolution to pay John T. Morris thirty dollars, passed its third reading.

Bill to validate the registration of certain deeds for land. The committee offered a substitute which provides when notaries public and clerks of courts out of the State have probated deeds to land in the State, they shall hold good. Passed its second reading.

Bill to repeal the laws prohibiting fishing in the Yadkin river in Caldwell county, passed its third reading.

Bill to change the mode of election of school committeemen; leaves the election to the people, the whites electing theirs and the colored people theirs. Bill was reported by Mr. Strayhorn from the committee.

Mr. Poykin thought it a constitutional question whether the elections could be held separate, he did not oppose the merits of the bill, it was only a question of law, he moved it be made special order for Friday and that it be printed. This was Mr. Lovill's bill.

Mr. Linney asked that the bill reported back concerning the State's interest in the Cape Fear and Yadkin Railroad be made special order for Wednesday next at 11 o'clock and that it be printed together with the reports of the majority and minority of the committee. Granted.

House bill and Senate bill, to amend chapter 260, laws 1876 and 1877. Passed its third reading.

Bill to amend chapter 35, laws of 1876-77 incorporating Fayetteville Lodge, Ancient Knights, passed its third reading.

Bill to amend chapter 25, private laws of 1876-77; passed its third reading.

Bill repealing chapter 1, private laws of 1881, leaving prohibition three miles instead of five at Wake Forest College.

Mr. Scott, of Rockingham, asked to have the bill postponed; he said he had been spoken to by some of the authorities of the

college, and he would like to look further into it.

Mr. Purnell said the people in this additional two miles section were opposed to the law, and it did seem to him that three miles prohibition was enough for the college.

Mr. Scott, of Rockingham, said he was persuaded that the authorities of the college unless they had known that the five miles clause would have reached their end, would not have asked this law, it had worked well. He was no prohibitionist, but the interests of the people of the State who had sons at the college were involved, and the authorities knew what they asked in having this five mile clause to stand.

Mr. Purnell still contended that it was unreasonable for the authorities to insist on such large territory; he said further that no thirty days notice was given last session of the passage of this act.

Mr. Scott, of Rockingham, asked if the thirty days notice had been given in this case to repeal it.

Mr. Purnell—No, sir.

r. Scott—Then, sir, I make that point on it.

Mr. Watson said no animal was ever known that traveled as fast as a fifteen-year-old school boy as he put out at 8 o'clock at night to strike a country grocery. He opposed the repeal.

Mr. Scott, of Rockingham, moved to lay the bill on the table.

Mr. Purnell asked on that motion the ayes and noes. Ordered. The bill was tabled—yeas 18, nays 11.

On motion of r. Clark the bill prohibiting fishing in Yadkin river was reconsidered, an amendment adopted, and bill passed third reading.

r. Dortch's bill to allow creditors in certain cases to sue on a claim before it comes due, came up as special order. The committee offered the following amendment: After the word "however," in line fourteen, insert the following, "that when judgment shall be rendered, if the debt, claim or demand be not carrying interest there shall be a rebate of interest for the time said debt, claim or demand shall not bear interest after the date of the judgment." The amendment was adopted.

Mr. Poole spoke against the bill; he said it would have the effect of injuring the credit of the merchants of North Carolina. He thought it unjust to the mercantile interests; it opened the gaps where unscrupulous men could take advantage of the provisions of the bill.

Mr. Watson offered an amendment: "that no such suit should be brought before a justice unless the plaintiff gave a \$200 bond or before the superior court unless he gave a \$500 bond."

Mr. Payne was in favor of the amend-

ment. He spoke to the bill supporting it. The debtor owes a debt, the bill only provides he may be sued before it is due, and he is protected against any improper suit by the amendment requiring the plaintiff to give bond. Legislation has gone too far in this State in favor of the debtors and to the direct exclusion of the creditors. The merchants of his county were in favor of the bill, and honest debtors will not be opposed to it; it is only that class of them who are making preparation to abscond or to avoid the payment of their debts who will complain.

Mr. Mebane offered an amendment to the amendment, striking out \$200 and making the bond twice the amount of the claim.

Mr. Lovill thought the bill with the amendment was a good one.

Mr. Morehead offered a substitute for the amendment that when the oath is made it shall be with the same undertaking as is required in the oath for a warrant of attachment. He moved the bill with all the amendments be recommitted.

r. cLean offered an amendment. The bill was recommitted.

Bill to prevent felling trees, etc., in streams in Burke, Catawba, Lincoln and Gaston counties.

Mr. Berry offered an amendment to take out Burke. He thought it would be a great hardship to the people of his county to have the law passed; if he had had time he could have gotten two thousand names against it; it would be an imposition on his constituents; the members of the other House had shifted it upon the Senator from Lincoln to introduce the bill—the idea of a little sawdust injuring the corn! He hoped this amendment would be passed.

Mr. Costner spoke for the bill. He thought a platform could be placed under the saws to prevent the sawdust from getting in the streams.

Mr. Berry said the Senator talked of the dust coming from Burke. Why, they had five mills in Catawba to one in Burke.

Mr. Strayhorn thought the bill of the Senator from Lincoln a great hardship on the saw mill men. It would take one hand and a mule and cart all the time to cart off the saw dust. He was opposed to the bill for the Senator's own county, and certainly as to the county of Burke.

r. Linney said no man had the right to float filth run by his establishment to the injury of another. The parties in Catawba already had a right of relief in civil action. Why, he had heard that saw dust would kill fish.

Mr. Dotson—I would like to enquire of the Senator if he ever saw a dead fish that saw dust killed?

Mr. Linney said no, but Mr. Young, a

gentleman he had met in this city, had told him that it would.

Mr. Perry withdrew his amendment and offered further to amend section 2 by striking out the words "saw dust or other offal of the mills." Adopted. The bill passed its third reading.

Adjourned.

Mr. Caho, on Thursday, rising to a question of privilege, said: It is not often that I ask this body to waste time in listening to me upon any matter, but just now I desire their ear for a few moments while I call their attention to an article in public print, which I conceive to be a reflection upon their honor and integrity. Having received a copy of the *Economist*, a paper published in Elizabeth City, in my section of the State, I find in its editorial columns the following: "We should hang our heads in the abasement of mortification and shame, not shame for North Carolina, her past is secure, but shame for this legislature, shame that its virtue was so weak that it could be overcome by an oyster, a duck, a pop-bottle and a railroad pass. Yes, more than shame would fill our bosom, indignation, patriotic indignation, that would if it could gibbet high upon the pillory of eternal infamy the name of any recreant soul of North Carolina, be he Democrat or Republican, whose name was found recorded 'aye.' when that vote was taken and the ayes and noes called." What vote has this sage of the quill allusion to? A vote on a bill to merely change the name of a railroad company. Why is it that he has seen fit to reflect upon the honor and integrity of this body as well as our brethren in the other end of this Capitol, because we have done what all others should, to refuse to listen to the prejudices and whims of a few croakers whose expansive minds can only reach far enough to grasp their own pecuniary interest. Now, Mr. President and fellow members of this body, occupying as I do a position as editor-in-chief and proprietor of a newspaper, and willing as I believe this body is to accord to the press all the prerogatives belonging thereto; fully recognizing the influence of the press, I feel it but my duty to say that such language as has been used by my brother of the quill, reflecting as it does upon the members of General Assembly, should be denounced and rebuked in the strongest language possible for his unjust, improper and unwarrantable assault upon this body.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Speaker Rose in the chair.

Prayer by the Rev. Mr. Bumpass of Person Street Methodist church.

The reading of the journal of yesterday was on motion dispensed with and it stood approved.

PETITIONS.

Mr. Sherrill, petition asking that M. A. Thornburg be appointed a justice of the peace.

Petitions asking for the appointment of justices of the peace.

Mr. Overman, petition asking the appointment of a justice of the peace.

Mr. Candler, asking for appointments of justices of the peace.

Mr. Byrd, asking that county commissioners be required to give bond.

Mr. Powers, of Cleveland, petitions relating to the sale of liquors in said county.

Mr. Strudwick, relative to the appointment of justices.

REPORTS OF COMMITTEES.

Sundry reports were made by various committees on the following bills:

To allow clerks of the Supreme Court fees in certain cases. To construct a public road in Pamlico county. To amend sections 27 and 42 of the Code of Civil Procedure. To incorporate the town of Highland. To incorporate the Rocky Mount Agricultural and Mechanical Association. To reduce number of jurors to lay off dower. Touching the signing of orders and judgments. To amend chapter 126, laws of 1881. To pay Mrs. Mary R. Moore for services. To incorporate the town of Wilson's Factory, in Gaston county. To authorize the county commissioners of Tyrrell county to sell certain property. To make railroad conductors policemen. To change the name of Blue Ridge township in Macon county. To protect deer some seasons of the year. To incorporate Wesley Chapel Church and Camp Ground. To attach a portion of Craven county to Carteret county was laid on the table. To prescribe the procedure to enforce liens. To amend the charter of the town of Asheville. To create four new townships in Lenoir county. Act relating to Gas and Water supply for Asheville. To incorporate the town of Palmyra, in Halifax county. To incorporate the town of Third Creek, in Rowan county. To regulate transcripts on appeal. To authorize Tyrrell county to levy a special tax. Act for the promotion of female education.

RESOLUTION.

By Mr. Check, resolution in regard to the political disabilities of Wm. W. Holden. Calendar.

BILLS

Were introduced, passed their first reading, and referred as follows:

Mr. Powers, of Cleveland, to prohibit the sale of liquor in certain localities in the counties of Cleveland, Rutherford and Gaston. Propositions and Grievances.

Mr. Williams, of Sampson, to prohibit the sale of liquor within three miles of Bethesda church, in Sampson county. Propositions and Grievances.

Mr. Patrick, to punish the offence of destroying, or breaking, or tearing down bridges. Judiciary.

Mr. Bailey, of Mecklenburg, to authorize the revival of civil actions for trespass. Judiciary.

Mr. Bunn, to republish the reports of the Supreme court. Judiciary.

Mr. Covington, to amend the various acts incorporating the town of Rockingham. Corporations.

Mr. Thompson, to provide for the establishing of a public highway in the county of Onslow. Internal improvements.

Mr. Bailey, of Wilson, to establish graded schools in Wilson township, in Wilson county. Education.

MESSAGES

were received from the Senate informing the House that the Senate had passed the following bills and resolutions, which were read and disposed of as follows:

To incorporate the insane asylums of the State. Insane asylum committee.

Senate amendment to the bill to regulate the sale of liquor in Northampton county. Calendar.

To amend the law of attachments. Judiciary.

Senate resolution to amend joint rules. Committee on joint rules.

To amend chapter 318, laws 1879. Propositions and grievances.

THE CALENDAR

was then taken up and the following bills disposed of as follows:

To establish a graded school in the town of Hickory. Passed its third reading.

To reduce the number of jurors to lay off dowers. Passed its third reading.

To incorporate the Loftin Silver Lead Mining Company. Passed its third reading.

To authorize the Auditor to draw all warrants for the payment of money. Passed its third reading.

Regarding the issuing of State grants for Cherokee lands. Passed its third reading.

To incorporate Cabarrus County Store Association. Passed its third reading.

To establish Roanoke township, in Halifax county. Mr. Thompson moved to table the bill, which was lost. The bill then passed its second reading, but failed to pass its third reading.

To incorporate the Grand United Order of Benevolence. Third reading.

Resolution in regard to Confederate soldiers who lost limbs or eyes. Made the special order for next Thursday at 11 o'clock.

To establish a stock law in part of Perquimans county. Second reading.

To make it a misdemeanor for contractors not to pay employees. Tabled.

To authorize the commissioners of Jackson county to levy a special tax. Second reading.

To incorporate the Enterprise Manufacturing Company. Third reading.

To incorporate the Rocky Mount Agricultural and Mining Association. Third reading.

By consent Mr. McLoud introduced a resolution prohibiting the introduction of resolutions, bills, petitions, etc., after the expiration of the morning hour, which was adopted under a suspension of the rule.

To authorize the commissioners of Tyrrell county to sell certain property. Third reading.

Senate amendment to the act to amend the landlord and tenant act. Concurred in.

Senate amendment to the act regulating the sale of liquor in Northampton county. Concurred in.

To amend the charter of the town of Pleasant, in Cabarrus county. Passed its second reading.

To incorporate the North Carolina Tobacco Exposition. Passed its third reading.

To change the name of the Edenton and Norfolk Railroad Company. Passed its second reading.

Mr. Hayes thought that the rights of the people could not be guarded too closely, and he moved to postpone and print.

Mr. Barrett thought the bill ought to be passed, that it was subject to the general law governing railroads.

The motion to postpone and print prevailed.

MESSAGES

were received from the Senate informing the House that the Senate had passed the following bills and resolutions, which were read and disposed of as follows:

To incorporate the Grand Council of the Legion of Honor. Corporations.

To authorize the treasurer of Caswell county to pay certain claims. Finance.

Joint resolution relative to the invitation to the General Assembly to visit the Insane Asylum and graded school at Goldsboro, N. C. Calendar.

To more effectually punish the removal of joint fences. Propositions and grievances.

To extend the time to redeem land sold for taxes and bought in by the State. Finance.

Act concerning the town of Middleburg, in Vance county. Cities and towns.

To repeal chapter 191 and 216, laws of 1881. Judiciary.

To pay witnesses before justices of the peace in criminal cases. Third reading.

To incorporate the bank of Goldsboro.

Mr. Hayes, of Robeson, said if this was a bank of issue that there ought to be a personal liability clause in it for the protection of the people who might take these notes, he moved to postpone and print.

Mr. McLoud said it was not a bank of issue.

Mr. Hayes withdrew his motion.

The bill then passed its third reading.

To amend the act relating the enforcement of agricultural liens. Third reading.

To secure the better drainage of the low lands of South Fork creek, in Forsyth and Davidson counties. Informally passed over.

To attach a certain portion of Craven county.

To amend the act to incorporate the Spring Shoals Manufacturing Company. (changing the name to McAden.) Third reading.

Relative to the sale of liquors in certain localities in Brunswick county. Third reading.

To prevent the felling of timber in Ararat River. Third reading.

To amend the act relating to the charter of the town of Clinton. Third reading.

To authorize the commissioners of Dare county to levy a special tax. Second reading.

To incorporate the Wesley Camp ground in Catawba county. Third reading.

The hour for adjournment having arrived the House stood adjourned.

A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LOCAL ASSESSMENTS IN AID OF PUBLIC SCHOOLS.

The General Assembly of North Carolina do enact :

SECTION 1. That upon written petition, signed by ten white voters of any school district for white children, or by a like number of colored voters of any school district for colored children, it shall be the duty of the board of county commissioners wherein such district is located to post a notice, signed by their chairman, at three public places in such district, notifying the white or colored tax-payers, as the case may be, that they will be heard at the next regular meeting of said board as to submitting to the voters the levying and collecting an assessment in such district, in aid of the public school in said district.

At said meeting, the board shall hear all persons who may desire to be heard, and shall decide whether the question shall be submitted to the said voters or not; and if they decide to submit the question to the voters, they shall also decide what per cent. shall be collected on property and the amount on polls respectively, and shall issue a written order, signed by the chairman of said board, to the school committee of such district; to submit to the qualified white or colored voters of such district, as the case may be, whether an annual assessment shall be levied and collected therein, for the support of the public school in said district for the white children, or for the colored children, as the case may be. Said committee shall give thirty days' writ-

ten or printed notice of the time and place, at which said election shall be held, and the said notice shall be posted at three public places in said district. Said committee or a majority of them, after being sworn by a justice of the peace, shall open the polls, hold said election, count the votes and shall report to the board of county commissioners at their next regular meeting after said election the result thereof. Each voter shall deposit a ballot, upon which shall be written or printed the word "assessment" or the words "no assessment;" and said election shall be held and conducted in all other respects under same rules, regulations and penalties as are prescribed for the election of members of the general assembly.

SEC. 2. In case a majority of the votes cast at said election shall be in favor of such assessment, the board of commissioners shall issue an order, signed by their chairman, to the sheriff of the county, commanding him to collect the same in like manner as provided for the collection of State and county taxes, and said sheriff shall collect and pay over the same to the county treasurer, and said sheriff's official bond shall be liable therefor as provided in case of county school tax.

SEC. 3. That no election under this act shall be held more than once in any one year.

SEC. 4. That the assessment, thus levied and collected from the taxable property and polls of white persons, shall be expended in aiding to keep up the public school in said district for white children of both sexes, between the ages of six and twenty-one years; and the assessment, thus levied and collected from the taxable property and polls of colored persons, shall be expended in aiding to keep up the public school in said district for colored children of both sexes, between the ages of six and twenty-one years.

SEC. 5. That the treasurer of any county wherein such assessment shall be levied and collected, shall receive and disburse the same; and his sureties on his official bond shall be responsible for the proper disbursement of all moneys collected under this act.

SEC. 6. The assessments thus collected shall be subject to the orders of the school committee of such district for payment of teachers: *Provided* That so much of said assessment as shall not be expended in any school district in any one year, shall remain to the credit of said school district for the ensuing year.

SEC. 7. All orders upon said treasurer for the payment of teachers shall be paid out of said assessment, duly countersigned by the county superintendent of public instruction, and shall be signed by the school committee of the district in which the school is taught, which orders, duly endorsed by the person to whom the same are

made payable, shall be the only valid vouchers in the hands of said treasurer.

Sec. 8. It shall be the duty of said treasurer to keep a book in which he shall open an account with each school district, showing the amount of assessment collected and paid by the white districts and by the colored districts respectively, the dates of all payments, the name of the person to whom paid, and the amount of such payments; he shall balance the accounts of each district on the thirtieth day of November in each year, and shall report by letter or by printed circular, to each school committee, the balance due each district from the preceding year.

Sec. 9. Said treasurer shall, on the first Monday in December of each year, report to said board the amount of money received from the sheriff from each school district; said report shall show the amounts received respectively from assessments paid by the whites on the property and poll, and the same as to the colored.

Sec. 10. The said treasurer shall, when required so to do by said board, produce his books and vouchers for examination and shall also exhibit all moneys due said districts at each settlement required by this act.

Sec. 11. The said treasurer shall receive as compensation in full for all services required of him by this act, not exceeding two and a half per cent. on account of receipts and disbursements, as the board may allow.

Sec. 12. The treasurer of each county shall report to the State Superintendent of Public Instruction, on the first day of December of each year, the entire amount received by him under this act during the preceding school year, the amount received from property and polls of the white and the colored respectively, and the disbursements thereof made by him, designating the amounts paid to teachers for the white and the colored respectively.

Sec. 13. The sheriff of each county shall pay in money to the treasurer thereof, on or before the first day of February of each year, the whole amount collected, less such sum as may be allowed on account of insolvents for the current year; and, on failure so to do, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than two hundred dollars, and shall also be liable to an action on his official bond for his default in such sum as will fully cover such default, said action to be brought to the next ensuing term of the Superior Court, and upon the relation of the board of county commissioners for and in behalf of such district.

Sec. 14. It shall be the duty of the county Superintendent of Public Instruction to countersign all orders given by the several school committees upon the Treasurer, in

payment of teachers' salaries, and it shall not be lawful for the said Treasurer to pay such orders unless the same have been countersigned by the County Superintendent of Public Instruction: *Provided*, That the said County Superintendent shall not have authority to countersign any such order until the teacher in whose favor it is drawn shall have made the reports to the County Superintendent required by chapter two hundred of the laws of eighteen hundred and eighty-one.

Sec. 15. At the end of each term of such school, the teacher or principal of the school shall exhibit to the school committee of the district a statement of the number of pupils, male and female; the average daily attendance and the length of time taught. If the committee are satisfied that the provisions of this act have been complied with, they shall give an order on the Treasurer, payable to said teacher, for the full amount due for services rendered.

Sec. 16. That the public school houses may be used for the schools provided for in this act.

Sec. 17. This act shall be in force from its ratification.

SENATE.

TWENTY-NINTH DAY.

SATURDAY, February 3, 1883.

The Senate was called to order at 10 o'clock.

Prayer by the Rev. Dr. Marshall.

The journal of yesterday read and approved.

Mr. King, of Pitt, petition from certain citizens of Edgecombe, asking for the modification or repeal of the purchase tax on liquor.

Mr. Watson, bill to regulate trials of actions brought by servants against masters.

Mr. Lovell, bill to amend the charter of the Caldwell and Watauga Narrow Gauge Railroad Company.

Mr. Black, bill to require bargainors in conditional sales and delivery of personal property where title is retained to record notice of such conditional sales.

Mr. Webb, bill to amend the act relative to the stock law.

Mr. Neill, bill for the relief of S. R. Hensley, former sheriff of Mitchell county.

Mr. Alexander, bill to amend the charter of the city of Charlotte.

Bill to prevent convicts in the State prison from being hired out on private contract. (Mr. Purnell's bill.)

Mr. Purnell said the bringing of convict labor in competition with outside labor had gotten to be in this immediate section a great matter of complaint, and every candidate of both parties in Wake county was pledged to reform the abuse. The convicts had actually been working the flower gardens here. At Mr. Pemberton's suggestion

he amended by inserting the word "canals," and Mr. Dortch suggested "public lands," which amendment he also accepted.

Mr. Dortch said that the convicts ought to be worked exclusively in the public lands belonging to the common school fund of the State.

Mr. Webb was opposed to the bill, and was for leaving the matter as it is now.

Mr. Jones was opposed to the bill; he was for the people having the power of utilizing the labor for the protection of the farming classes.

Mr. Black was for leaving the law as it is now.

Mr. Womack thought the bill too broad, to say the least of it. It prevented the penitentiary authorities from running a convict farm.

Mr. Strayhorn suggested that Mr. Womack should offer an amendment to that end.

Mr. Purnell said the bill would not prevent that; the Penitentiary authorities had recently leased the Powell farm on Neuse river.

Mr. Watson offered an amendment that "this act shall not prevent the farming out of convicts to remedy the evils of laborers' strikes."

Mr. Hill opposed the bill because the convict work, as it is now, has the tendency of preventing laborers' strikes around Raleigh.

Mr. Scott, of New Hanover, favored the bill. He was against the competition of free labor with convict labor.

Mr. Jones said with Mr. Watson's amendment he would favor the bill.

Mr. Webb moved to table. Not a quorum, 11 for and 9 against. Bill, at the suggestion of Mr. Purnell, was passed over.

Bill to incorporate the town of "Kill Quick," in Edgecombe county, Passed its third reading.

Mr. Cahoon asked the suspension of the rules, on the bill to prevent the erection of artificial islands in the navigable streams of the State. A substitute for the bill, as recommended by the committee, passed its third reading.

Mr. Cahoon offered an amendment, "East of the Wilmington and Weldon and Petersburg and Weldon Railroad," which was adopted in the bill.

Bill to validate the registration of certain deeds for land, passed third reading.

Message received that the House refused to concur in amendments to the bill regulating the sale of liquor in Northampton county.

Mr. Morehead thought the Senate should insist on its amendments and ask for a conference.

Mr. Dortch said it was a purely local matter with the member from Northampton, and moved that the Senate recede.

The chair said in its opinion the motion of the Senator from Wayne was the proper plan, and if there was a negative vote on that motion the Senate would insist on its amendments.

Mr. Watson thought the Senate should insist; by the provisions of that bill liquor was allowed to be sold, and then if a man happened to get drunk he was arrested.

Mr. Dortch's motion to recede was voted down. A message was sent to the House to that effect, and asking a committee of conference.

Mr. Alexander, bill to amend sections 25 and 28, chapter 64, Battle's Revisal.

Mr. Blalock asked a suspension of the rules, and bill to ascertain and establish dividing lines between Harnett and Chatham, was put upon its readings. He amended by putting in Moore and Harnett, and making "lines" instead of "line." Passed its third reading.

Bill to punish the seduction of women under promise of marriage, making it a crime and penitentiary offence. (Mr. Dortch's bill.) Passed its second reading.

Substitute to Mr. Evans' bill for the protection of crops in Caswell.

Mr. Strayhorn said he had some doubts as to the constitutionality of one section of the bill, and moved to have it recommitted to the judiciary committee. It was recommitted.

Bill to make indictable the felling of timber inuddy Fork creek, in Cleaveland county, (Mr. Webb's bill,) passed its third reading.

H. B. and S. B.—to amend bill in regard to the salary of clerk for the city of Wilmington, passed its third reading.

Bill to incorporate the Horner School, in Oxford, passed third reading.

Bill allowing the commissioners of Nash to levy a special tax to build a court house and bridge, passed its second reading.

Mr. Scott, of New Hanover, moved a reconsideration of the vote by which the bill in regard to the salary of the clerk for the city of Wilmington passed the third reading. It was reconsidered. He moved to postpone the further consideration of the bill. The Senate agreed.

House bill and Senate bill relating to working the public roads in the county of Watauga. Mr. Lovill explained the bill. Passed third reading.

House bill and Senate bill to incorporate the town of Piroway, in the county of Columbus, passed second reading, yeas 27, nays none.

Mr. Evans' bill to regulate fees of the justices of the peace and for other purposes in Caswell county, was discussed and put back on the calendar.

A message from the House specified Messrs. Peebles, Barrett and Cain as the

conference committee on its part for the Northampton liquor bill.

A response from the Treasurer to the Senate's inquiry as to the money paid for the Cape Fear and Yadkin Valley road, stated that, first \$30,000 have been paid as part of the appropriation made; second, the State has issued \$600,000 of coupon bonds on account of that road; third, the value of the work by convicts on the road, to January 1st, 1883, aggregated to the amount of 107,027.48, this amount not payable in money, but in the first mortgage bonds of the company.

Bill for the protection of fish in Elk River, in Watauga. Passed its third reading.

Bill to amend chapter 72, laws 1868-69. Passed its third reading.

Resolution of request to our Senators and Representatives in Congress as to soapstone in this State.

Mr. King, of Cherokee, explained his grounds for introducing the resolution. The veins of soapstone in Western North Carolina have assumed commercial importance; it is worth in New York \$40 to \$50 a ton; it enters into the manufacture of paper, of perfumed soaps, of candles, &c., &c. These are miners, teamsters and owners of mines and quarries asking protection. They would not ask it if they had railroad facilities.

Mr. Scott, of Rockingham, and Mr. Watson opposed the resolution, as the idea of protective tariff entered into it, and Mr. Scott moved to table it.

Mr. Jones favored the resolution. What we wanted was revenue, and that was protection itself.

Mr. Alexander did not believe in instructing Congressmen, but if we did, he hoped they would see North Carolina products protected equally with those of every other State.

Mr. Hill was opposed to the instructions.

Mr. Womack trusted the Senate would be consistent in its action; if we sit down on one set of instructions to Congress, let us do so on all.

Mr. Dortch offered an amendment, "That our Senators are instructed and our Representatives are requested to use their efforts to abolish the tariff on the necessities of life or reduce the same to the lowest point necessary for the support of the government." It was all referred to the committee on internal improvements.

Bill for the relief of E. Kerner, of Forsyth county. Passed its third reading.

Bill to amend Section 2, chapter 94, laws 1881, in regard to fence law. Passed its third reading.

Bill to enable the county commissioners of Warren to regulate the bonds of the sheriff and Treasurer.

Mr. Jones explained that it was so that

these officers couldn't give bond, and the bill was for arranging it so that they could.

The chair appointed Messrs. Watson and Goodwyn as a committee of conference on the Northampton liquor bill.

Bill providing that the trustees of the Supreme Court Library shall employ a Librarian was, on motion of Mr. Payne, put on its readings; his salary not to exceed \$300 a year.

Mr. Payne explained the bill. Passed its third reading. Sent to the House without engrossment.

Bill for the relief of Mr. Flow and others, in Mecklenburg, passed its third reading.

Bill to incorporate the Supreme Council of the Home Aiding Maccabee Society, passed its third reading.

Bill for the protection of Buoys and Lighthouses, by Mr. Caho—a substitute as offered by Mr. Pemberton for the committee, passed its third reading.

Bill for protection to aids in navigation, passed its third reading.

Bill for the protection of shipping, by Mr. Scott, of New Hanover, preventing the use of spikes in the end of poles for poling flats. Referred.

Bill for graded school in the city of Newbern. (Mr. Clark,) passed its third reading.

Bill to revise and consolidate the public school law. Mr. Pemberton explained that the law as it stands now requires the laying off of township lines, and this amends that they can consult the convenience of neighborhoods without regard to township lines. Passed its third reading.

Bill to amend the law in regard to county treasurer. Mr. McLean stated for the committee that they reported unfavorably because they feared it would have the tendency to abolish the office of treasurer.

Mr. Webb thought it a serious question. He had several counties in his mind's eye that had abolished the office, "that there was a doubt as to whether or not the county commissioners in the counties where the justices had abolished the office had a right to allow the sheriff any compensation for his services as treasurer."

Mr. McLean said he was opposed to the bill and hoped it would be tabled, and asked Mr. Webb if he thought the bill should pass merely to settle the law troubles in Cleveland.

Mr. Webb replied that he did not.

Mr. Black thought Mr. Webb's view of the matter correct. The question should be settled.

Mr. Watson moved to make the bill special order for next Tuesday. It was so ordered.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Speaker Rose in the chair.

Prayer by the Rev. E. R. Rich.

PETITIONS.

By Messrs. Simmons, Peebles, Bailey of Mecklenburg, Williamson and Liles, asking for the appointment of certain persons as justices of the peace.

Mr. Harris, of Wake, asking that convict labor be not placed in competition with honest labor in the county of Wake.

Mr. Bailey, of Mecklenburg, petition of J. R. Erwin.

Mr. Williamson, from the pilots of the port of Wilmington, N. C.

Mr. Abbott, petition relative to the prohibition of the sale of liquor near Sawyer's Creek church, in Camden county. Petitions asking that the town of South Mills, in Camden county, be incorporated.

Mr. Byrd, petition asking for a prohibitory law as to certain churches.

Mr. Peebles, petition against prohibition in the town of Seaboard. Petition asking that a prohibitory law be passed in the town of Seaboard.

Mr. Hayes, of Swain, from certain Indians in Jackson county, asking to be annexed to Swain county.

REPORTS OF COMMITTEES.

Sundry committees reported on various bills as follows: To prohibit the sale of liquor within three miles of Bethesda church in Sampson county. To prohibit the sale of liquors in certain localities in the counties of Cleveland, Rutherford and Gaston. To more effectually prevent the wrongful removal of joint fences. To punish the offence of destroying, or breaking, or tearing down bridges. An act for the better protection of the estates of deceased persons. To extend the time to redeem land sold for taxes, and bought by the State. To authorize the treasurer of Caswell county to pay certain claims. To republish the reports of the Supreme Court. To incorporate the Raleigh Mail Printing and Publishing Company.

BILLS

were introduced, passed their first reading and were referred as follows:

Mr. Holt, to incorporate the town of Mebane, in Alamance county. Propositions and grievances.

Mr. Nixon, for the relief of John H. Cox, late sheriff of Perquimans. Propositions and grievances.

Mr. Williamson, to amend chapter 87, Battle's Revisal. Propositions and grievances.

Mr. McCotter, to prevent fraud in packing cotton. Propositions and grievances.

Mr. Byrd, to prohibit the sale of liquor in three miles of the town of Burnsville. Propositions and grievances.

Mr. Bower, to prohibit the sale of liquor

within two miles of certain churches in Caldwell county. Propositions and grievances.

Mr. Hayes, of Swain, to change the dividing line between the counties of Swain and Jackson. Propositions and grievances.

Mr. Holt, to amend section 19, chapter 65, Battle's Revisal. Judiciary.

Mr. Bullock, to amend section 28, article 2, of the constitution. Judiciary.

Mr. McCurry, to amend the law relating to the working of public roads. Judiciary.

Mr. McCloud, to create a board of license in each and every county, and to regulate the manner in which license to retail liquor dealers shall be granted. Judiciary.

Mr. Pyrd, to allow the sheriff of Yancey county to collect arrears of taxes. Finance.

Mr. Williamson, to fix and regulate the time of granting license for retailing liquors. Finance.

Mr. Holt, to amend chapter 36, private laws 1874-75. Education.

Mr. Bunn, to establish graded schools in Rocky Mount. Education.

Mr. Bailey, of Mecklenburg, to incorporate the Southern Mining, Smelting and Manufacturing Company. Corporations.

Mr. Sherrill, an act supplemental to an act to incorporate the Newton Cotton Mills. Corporations.

Mr. Powers, of Cumberland, to amend the act incorporating the Fayetteville Gas Light Company. Corporations.

Mr. Phillips, to amend and re-enact chap. 158, laws 1881.

Mr. Peebles, to amend chapter 121, laws 1876-7.

Mr. Bower, to authorize the commissioners of Caldwell county to offer a bounty for the killing of certain predatory animals. Calendar.

THE CALENDAR

was then taken up and the following bills disposed of as follows:

To incorporate the Fayetteville Graded and Normal School for the whites. Second reading.

Mr. Peebles moved to reconsider the vote by which the House concurred in the Senate amendment to the bill to regulate the sale of liquor in Northampton county, which was carried.

The House then refused to concur in the Senate amendment to that bill.

To incorporate the town of Third Creek, in Rowan county. Second reading.

To change the name of Blue Ridge Township, in Macon county, to that of Highlands. Second reading.

Mr. Myers moved to reconsider the vote by which the bill to punish contractors for not paying employees was tabled, and refer it to the committee on judiciary.

Mr. Sherrill hoped the bill would be referred; that there was some merit in it, and

the committee could frame a bill to cover the ground.

Mr. Robbins was opposed to this course.

Messrs. McLoud and Bailey, of Mecklenburg, were in favor of reconsidering and referring. The vote was reconsidered and the bill referred.

Mr. Powers, of Cleaveland, moved that the calendar be placed in the hands of the Speaker for the remainder of the session, which was carried.

Bill to authorize the commissioners of Cherokee county to issue bonds, and for other purposes. Passed third reading.

Resolution of instruction to members of Congress relative to money obtained from citizens of this State by direct taxation. Passed third reading.

Bill to designate a place for comparing the vote for Senators in the 22d Senatorial district. Referred.

Bill to prevent the felling of trees in North Hunting Creek, in Iredell county. Passed third reading.

Senate amendment to the act to grant amnesty and pardon to certain persons for retailing liquor without license. Made the special order for 12 o'clock on Wednesday next.

Bill to amend chapter 216, laws of 1876-77, relative to official advertising. Passed third reading.

Bill to authorize the commissioners of Currituck county to levy a special tax. Passed second reading.

Bill to abolish the fees of justices of the peace. Tabled.

Bill to repeal chapter 95, laws of 1879. Referred to the committee on the Code.

Substitute for an act to repeal chapter 117, laws of 1879, relative to abolishing the Board of Health of the State.

Mr. Myers had hoped the committee would favor the original bill. He had memorials from the commissioners of Mecklenburg, asking for the repeal of the law. He thought the quarantine laws covered all that the board of health would do, and he hoped the bill would pass.

Mr. Robins thought it might. In certain localities the act providing for the board of health would do well, but not in the State; that the act ought to be amended so as not to apply to the rural districts.

Mr. Thompson said that this was the third time this bill had been brought before the House.

Mr. Wilcox moved to make it special order for 11 o'clock on Tuesday next.

Mr. Powers, of Cumberland, hoped the motion to make it a special order would prevail.

Mr. Myers said that the bill had been postponed to time and again to suit the views of certain members of the medical profession. He was prejudiced against no man because of his profession. He was not

the prime mover in the matter, but the people whom he represented who were in favor of it, and he could see no reason why it should now be postponed.

Mr. Harris, of Wake, was in favor of passing it over informally.

Mr. Wilcox withdrew his motion.

Mr. Nixon moved to table, which was lost.

Mr. Thompson moved to postpone until the 15th.

Mr. Hardy moved to print.

Mr. Bullock was opposed to printing the bill.

The bill was ordered to be printed, and was made the special order for 11 o'clock on the 15th inst.

To amend chapter 274, laws of 1876 and 1877, reducing the tax on guano.

Mr. McLoud said he had no interest in the matter, for he hailed from a section of country where the soil was richer than any fertilizer that had ever been brought in the State, and he moved to make bill the special order for Thursday next, and that it be printed. The motion prevailed, and it was so ordered.

Substitute for an act for the relief of farmers in certain localities. Informally passed over.

To amend chapter 234, laws of 1881. Passed its third reading.

To repeal the law making Hiawasee river a lawful fence. Passed its third reading.

To authorize the commissioners of Jackson county to levy a special tax. Passed its third reading.

To allow in certain cases an extension of the terms of court. Tabled.

To prohibit the sale of liquor in certain localities in Madison county. Informally passed over.

To amend chapter 127, laws of 1879. Passed its third reading.

To construct a public road in Pamlico county. Referred to the judiciary committee.

To protect sheep in Madison county. Informally passed over.

To allow the Virginia and Carolina Railroad to construct their line in this State.

Mr. Strudwick said if there was an evil which demanded redress it was the unjust discriminations in freight charges by railroads, and he was in favor of his amendment, making this corporation subject to all laws passed by the Legislature regulating this evil. He hoped the amendment would prevail, and cited instances of unjust actions by railroads in support of his position.

Mr. McLoud did not think the amendment was necessary that no other charter was hampered by any such provision, and why put it in this charter unless it be put in all; that the Legislature was the absolute boss of all railroad charters granted since

1868, and that therefore such a provision was unnecessary.

Mr. Leazar thought there seemed to be a hostility to railroads and that we ought to remember that while railroads had in some instances abused their charters, yet in the main they had been the conservators of prosperity and he was opposed to handicapping this or any other railroad company with any such amendments.

Mr. Holt was opposed to the amendment, and was in favor of said railroads, and clearly demonstrated that even with the exorbitant charges of railroads that freight transportation was far cheaper than with the old wagon system. He thought the railroad commission would supply all that was needed to remedy the evils arising by discrimination of railroads.

Mr. Lenoir thought the amendments ought to go in so far as to put it beyond doubt that the State had the power to regulate the charges of railroads.

Mr. Peebles thought that we were as much dependent upon railroads for our prosperity as any thing else and he did not think we ought to kill them out by hostile legislation; that the evil complained of was unjust discrimination between through and way freights; that if we could not in that respect control new railroads, how could we control old railroads already chartered? The only way to prevent this discrimination out of the law was by establishing competing lines, just what this bill proposed to do. He was opposed to the amendment, and in favor of the bill, and thought we ought to be cautious how we legislated to prevent capital from coming into the State. We ought to let them come in on equal terms with our citizens, but when they sought to oppose our people we had the power to protect our people, and that then we ought to protect them. He called the previous question and the call was sustained.

Mr. Hayes, of Robeson, offered the following amendment, which was voted down:

"And any railway company so uniting, consolidating or connecting, or entering into such contracts for leasing, purchasing, or otherwise, as will facilitate and consummate such connection or consolidation, shall do so on condition and with the understanding that such corporations shall be subject to taxation equally and alike with the said Virginia and Carolina Railroad Company, and the Palmetto Railroad Company and other corporations chartered by this General Assembly."

Mr. Strudwick's amendment was lost.

The bill then passed its third reading.

Bill to provide for the completion of the Midland North Carolina Railroad. Made the special order for 11 o'clock on Tuesday week.

Bill to promote the objects of the Roa-

noke Navigation Water Power Company. Passed third reading.

Bill to amend chapter 121, laws of 1876-77. (The amendment increases the number of the trustees of the University.) Passed its third reading.

MESSAGES

were received from the Senate informing the House that the Senate had passed the following which were read and disposed of as follows:

To establish a graded school in Lumberton. Education.

To prevent the felling of timber in certain creeks and rivers. Propositions and Grievances.

A message announced that the Senate had refused to recede from their amendment to the act regulating the sale of liquor in Northampton county.

Mr. Peebles moved to appoint a committee of conference, which was carried.

The chair appointed as the committee Messrs. Peebles, Bennett and King.

A message was received from the Governor transmitting a supplemental report of the Secretary of State, which was sent to the Senate with a proposition to print.

Mr. Peebles moved to reconsider the vote by which the bill to create Roanoke township was tabled, and asked that that motion be made the special order for the 16th inst.

Joint resolution of thanks for the invitation to go to Goldsboro to visit the insane asylum. Adopted.

To prohibit certain persons from practicing law in the counties in which they reside. Informally passed over.

To amend the bird law of Wake county. Tabled.

To change the name of the Edenton and Norfolk Railroad. Informally passed over.

To amend the law touching the seduction of women. Informally passed over.

The hour for adjournment having arrived, the House stood adjourned.

SENATE.

THIRTIETH DAY.

MONDAY, February 5th, 1883.

The Senate was called to order at 10 o'clock, the President in the chair.

The journal of Saturday was read and approved.

The following petitions were presented and appropriately referred:

Mr. Woodhouse, from citizens of Perquimans, asking repeal of certain prohibitory laws.

Mr. Cabo, from citizens of Pamlico, asking for a stock law.

Mr. Farmer, from the committee on engrossed bills, submitted a report.

Mr. Poole filed a minority report in the matter of the Cape Fear and Yadkin Valley railroad. Placed with the majority report and ordered printed.

Bills were introduced, passed their first reading, and were referred as follows:

Mr. Webb, by request, to incorporate King's Mountain High School. Corporations.

Mr. Loftin, relating to incorporating the town of Kinston. Corporations.

Mr. Neill, a bill of incorporation. Corporations.

Mr. Scott, of Rockingham, for relief of farmers of Rockingham county, by changing time of holding courts therein. Judiciary.

Mr. Lovill, to prohibit the sale of liquor at a certain place in Watuga county. Propositions and grievances.

Mr. Clark, to extend the terms of Craven Superior Court in certain cases. Judiciary.

Mr. Boykin, to amend the election law. Judiciary.

Mr. Purnell, by request of the aldermen, to improve the streets of the city of Raleigh. Internal improvements.

Mr. Pemberton was called to the chair.

The following bills on the calendar were disposed of as follows:

To allow the board of audit and finance of Wilmington to fix the compensation of their clerk. Final reading and ordered enrolled.

To make it a misdemeanor in tenants to voluntarily turn over land to others than landlords; substitute for bill. Final reading.

To ascertain the dividing line between Carteret and Craven counties. Put to the end of the calendar.

To allow the commissioners of Nash county to borrow money and levy a tax to pay the same. Final reading on roll call; ordered enrolled.

To incorporate the town of Pireway, in Columbus county. Final reading on roll call.

To prohibit the running at large of stock in Caswell county. Misdemeanor; does away with fences; referred to the judiciary committee.

To provide for the erection of a residence for the Governor. Made the special order, on motion of Mr. Poole, for Wednesday, 7th inst., at 1 o'clock p. m.

Relative to the sale of liquor in Pender county. Propositions and grievances.

House amendment to the bill relative to judicial sales, adding "legal holidays" to the days excepted for such sales. Occurred in and ordered enrolled.

To protect crops in a certain section of Craven county. Passed second reading and took its place on the calendar.

Resolution instructing the Attorney General to bring suit to compel the immediate payment of interest on the bonds of the Western North Carolina Railroad for the years 1881-82, amounting to \$62,000. Judiciary committee.

To prevent the felling of timber in Three Top 'reck. Final reading and ordered enrolled.

House amendment to the bill incorporating the Bank of Goldsboro: Occurred in and ordered enrolled.

For the better protection of landlords—being a substitute for the bill making damage by tenants to houses, appurtenances, fences, &c., a misdemeanor; in certain cases a felony.

Mr. Clarke was opposed to increasing the criminal statutes; besides, there was already a law on this subject which met the case. He wished time to examine the law.

Mr. Watson said that a decision of the Supreme Court had rendered the act referred to by the Senator from Craven practically inoperative in this case by holding that the statute applied only to persons not in possession. Mr. Watson, at the request of Mr. Goodwyn, explained the provisions of the bill.

After remarks by Mr. Morehead, the bill was made a special order for to-morrow at 11 o'clock a. m.

To allow constables the same fees as sheriffs in all cases; amendatory of chapter 105, Battle's Revisal.

Mr. Hill opposed the bill, on the ground that the territory of a constable was not as large as that of a sheriff. Justice should be cheap; but under this bill the costs in justices' courts, where the people should be at little expense, would be considerable. He considered constables as amply paid under the present fee act.

Mr. Goodwyn said that in his county constables had more to do than the sheriff; having to go from ten to fifteen miles in some cases to serve process. He hoped the bill as reported would pass.

Mr. Loftin offered an amendment excepting the counties of Lenoir and Greene from the operations of the bill.

Mr. Morehead said that the Code made a difference in a few cases only in the matter of the fees of sheriffs and constables. The effect of the bill would be to give each the same fees for like services.

Mr. Webb favored giving sheriffs the larger fees.

Mr. McLean called attention to the fact that constables are required by law to go great distances, at times, to serve process.

Mr. Alexander opposed cheap justice when it prevented the obtaining of competent and honest men. The services of such men could not be secured for low fees.

Several Senators said that in their districts there were but few constables, because of the reasons given by the Senator from Mecklenburg.

Mr. Caho said that in his county (Pamlico) the constables elected in November refused to qualify. Deputy sheriffs now serve the larger portion of processes; give constables

the fees paid sheriffs and the people will elect competent persons to the office.

Mr. McLean called the previous question.

Mr. Loftin's amendment did not prevail. Passed second reading and took its place on the calendar.

Several bills were informally passed over, among them that relating to rebuilding Price's Creek quarantine hospital.

Bill to amend the revenue law, taking from county commissioners the discretion given them in the matter of granting license to retail spirituous liquors when parties are properly recommended, gave rise to considerable discussion, participated in by Messrs. Loftin, Womack, Black, Scott, of Rockingham, Strayhorn, Morehead and Watson.

Mr. Loftin said the commissioners had too much power in this matter.

Mr. Womack said the code would contain a recommendation meeting the case.

Mr. Black said great dissatisfaction had grown out of the commissioners exercising this discretionary power against the popular will.

Mr. Scott, of Rockingham, said that inasmuch as the Code would not go into effect until next Fall, it would be well to pass the bill under consideration in time for the renewal of licenses in May.

Mr. Strayhorn said that if the commissioners were elected by the people they would not disregard the popular will in a sweeping exercise of discretion.

Mr. Morehead, in reply, said that when elected by the people the commissioners in some counties had refused to grant licenses.

Mr. Strayhorn was opposed to leaving it discretionary; make it mandatory.

The bill was recommitted.

Bill to prohibit convicts in the penitentiary being hired out on private contracts.

Mr. Purnell, the introducer, spoke in support of the bill. He said he argued from the standpoint of principle—opposition to bringing convict labor in competition with honest or outside labor. He alluded to the employing of convict labor on private work, and cited cases in the city of Raleigh where it had been so employed to the exclusion of honest laborers who had just passed through a severe winter. In reply to Mr. Poole's inquiry as to whether employment could not be had at all times by honest laborers in Wake, Mr. Purnell answered that it could not; that the private contract work of excavating, brick-making, rock-cutting, etc., done by convicts, seriously interferes with the obtaining of employment by honest workmen. He pronounced the system an evil, especially in his community, and asked the Senate to eradicate it. Let the mechanics and day laborers have a chance on the public and private works at the capital and

confine convict labor to the works recognized in and permitted by the bill.

Messrs. Lovill, Black, Watson, Alexander and Womack took part in the discussion.

Mr. Alexander said the establishment of the whipping-post would serve as a solution of this vexed question of labor.

Mr. Clark argued from the position of hiring out convicts only on such work as will develop the resources of the State. Such work he regarded the road in Onslow and Jones, from which the convicts had been withdrawn, much to the injury of that section. He hoped the bill would be made more stringent.

Mr. Watson moved to recommit the bill to the committee on penal institutions.

Mr. Caho offered an amendment, that the hiring out of convicts on farms during the scarcity of honest labor should not be prohibited.

Mr. Womack favored the employing of the old and decrepit in such way as would help to pay for their support.

Mr. Purnell sent forward an amendment, that the bill should not be construed as preventing convicts being worked on public farms.

The amendment of Mr. Watson then prevailed.

Bill in regard to the seduction of women, making seduction on promise of marriage punishable with ten years in the penitentiary.

Mr. Watson offered as an amendment the words "of unsullied character," before the word "woman."

Mr. Alexander said that from time immemorial the punishment for this crime had been left with the next of kin. The case of Simeon and Levi was referred to. Better leave the matter as it is.

Mr. Watson offered the following proviso: Provided, that the uncorroborated evidence of the woman shall not be sufficient to convict.

Mr. Boykin said if the woman was of unsullied character corroborating proof should not be required.

Mr. Loftin, an amendment: Insert "virtuous" before the word "woman."

Mr. Caho, an amendment: Provided, that the promise of marriage be in writing.

Mr. McLean opposed the bill. Let the matter remain as now. As the Romans regarded parricide, so let us regard the crime of seduction. Instead of in a statute, let the punishment be in the breasts of the good and true men of the land.

On motion of Mr. Boykin, the bill was tabled; yeas 16, nays 10.

Here the calendar was exhausted.

Mr. Watson sent forward, to be filed with the statement made on Saturday by the Treasurer, in response to the Senate's inquiry as to the money paid on account of the Cape Fear and Yadkin Valley Road—

an addendum. It took that course.

Mr. Caho, by consent, introduced a resolution instructing the Senators and Representatives in Congress from this State to advocate the removal of the obstructions in Bay River to Bayboro and the erection of a light-house near the mouth of said river. Adopted, ordered engrossed and sent to the House.

Messages were received from the House as follows: Concurring in resolution concerning joint rules; transmitting certain bills and amendments, which were read by title, passed first reading, appropriately referred, placed on the calendar, concurred in or informally passed over.

Leave of absence was granted as follows: Mr. King, of Cherokee, to-day; Messrs. Payne, Whitford and Strayhorn, indefinitely.

Mr. Loftin moved to adjourn; and, at 1:40 o'clock, p. m., the Senate adjourned till to-morrow morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Col. Holt, of Alamance, in the chair.

The journal of Saturday was read and approved.

PETITIONS

were introduced as follows:

Messrs. Leazer and Thompson, petitions relative to the appointment of justices of the peace.

Mr. Riggs, from citizens of Roanoke Island, against the establishment of a stock or no fence-law on said island.

From the same, asking that the prohibition law in that county be repealed.

Mr. Tate, petition asking that Perkins School House Trustees be incorporated.

Mr. Guder, asking that the question of the stock law be submitted to the voters of Buncombe county.

Mr. Lenoir, asking that the sale of liquor near Three Forks Institute be allowed.

Mr. Bailey, of Mecklenburg, from citizens of Charlotte, against the proposed amendment of the charter of said city.

REPORTS OF COMMITTEES.

The following committees reported on the following bills:

Internal Improvements—To incorporate the Wilkesboro Bridge Company.

Fish Interest—To protect fish in the Neuse and Trent Rivers.

RESOLUTIONS.

Resolutions were introduced as follows:

Mr. Hayes, of Robeson, a resolution instructing the judiciary committee to report a bill to elect justices of the peace by the qualified voters. Calendar.

Instructing the same committee to prepare a bill to work and maintain the public roads by taxation.* Calendar.

Instructing the committee on penal institutions to report a bill to provide for the

leasing out of convicts and for the completion of the penitentiary. Calendar.

BILLS.

Bills were introduced, passed their first reading and were referred as follows:

Mr. Forbis, to amend the law relating to sheriffs' fees. Judiciary.

Mr. Ray, to amend chapter 83 of Battle's Revisal. Fish interest.

Mr. Hamilton, to repeal chapter 86, laws of 1869-70, and chapter 144, laws of 1870-71. Judiciary.

Mr. Bailey, of Mecklenburg, to amend section 41, chapter 3, title 4, of the Code of Civil Procedure. Judiciary.

To effectually secure titles to real estate. Judiciary.

Mr. McCloud, to regulate the sale and carrying of deadly weapons and for other purposes. Judiciary.

Mr. Overman, To amend the charter of the town of Salisbury. Judiciary.

Mr. Lenoir, concerning the sale of liquors in certain localities in Watauga county.

THE CALENDAR

was then taken up and disposed of as follows:

Senate resolution amending the joint rules. Adopted.

To more effectually prevent the removal of joint fences. Informally passed over.

Mr. Thompson moved to place the calendar in the hands of the Speaker for the day which was lost.

To extend the time to redeem land sold for taxes. Tabled.

To authorize the treasurer of Caswell county to pay certain claims. Passed its third reading.

To incorporate the Wilkesboro Bridge Company. Passed its third reading.

To incorporate the Raleigh Mail Printing and Publishing Company. Passed its third reading.

Substitute for an act for the relief of farmers in certain localities, relating to the weighing and selling of cotton.

Mr. Page was in favor of the bill because the farmers ought to have some protection, that in some cases the farmers were compelled to sell and that they had not the slightest protection in such cases.

Mr. Thompson thought the farmers remedy was ample now, and that if he was not not satisfied with the weight, he could refuse to stand by the weight, and could get another weigher to weigh it.

Mr. Powers, of Cumberland, thought that the seller ought to be protected, that the buyers were sharp enough to protect themselves, and that they would do so.

The bill was further discussed by Messrs. McCotter, Lenoir and others. The bill then passed its third reading.

To incorporate the town of Third Creek, in Rowan county, passed its third reading.

To authorize the commissioners of Curri-

tuck county to levy a special tax, passed its third reading.

MESSAGES

were received from the Senate informing the House that the Senate had passed the following bills, which were read and disposed of as follows:

To amend section 20, chapter 200, laws of 1881, consolidating the school law. Education.

Senate amendment to the act to ascertain the dividing line between the counties of Harnett and Johnson. Corporations.

To prevent the felling of timber in Muddy Creek, in Cleaveland county. Passed its third reading under a suspension of the rules.

Senate substitute for an act to prevent the erection of artificial islands in the navigable waters of the State. Propositions and grievances.

To establish a graded school in the city of Newbern. Under a suspension of the rules passed its second reading and then took its place on the calendar.

That the Senate had appointed on its part of the committee of conferees Messrs. Watson and Goodwin.

To prevent the obstructing of North Muddy Creek, in McDowell county. Passed its third reading.

To establish the stock law in a part of Perquimans county. Passed its third reading.

To make bonds issued by the State or by or under its authority redeemable after five years.

On motion of Mr. Overman it was laid on the table.

To secure the better drainage of lowlands on South Fork Creek, in the counties of Forsyth and Davidson. Passed its third reading.

To prohibit the sale of liquor in certain localities in the county of Madison.

Mr. Bryan disliked to oppose local bills, but said if matters went on at this rate there would soon be prohibition all over the State, and he thought one mile or even a half a mile was far enough to prohibit the sale of liquor to protect any church. He was in favor of protecting churches, but did not think the line ought to go too far.

The bill was, on motion, passed over informally.

To amend the charter for the town of Mount Pleasant in Cabarrus county. Passed third reading.

To incorporate the Fayetteville public normal and graded school for whites. Passed third reading.

Substitute for an act for the protection of farmers. Informally passed over.

Substitute for an act to increase the fees of justices of the peace. Informally passed over and ordered to be printed.

To regulate transcripts on appeal. Informally passed over.

To prohibit the sale of liquor to lunatics, idiots and inebriates. Tabled.

To incorporate the Platonic Literary Society of Rutherford College. Passed third reading.

To amend chapter 168, laws of 1881. Third reading.

To repeal chapter 274, laws 1881. Passed third reading.

To amend chapter 234, laws 1881.

Pending the consideration of this bill the hour for adjournment arrived and the House stood adjourned.

SENATE.

THIRTY-FIRST DAY.

TUESDAY, February 6.

Senate called to order at 10 o'clock.

The Journal of yesterday was read.

Mr. Toon, petition from citizens of Columbus county, asking that prohibition be not repealed within one mile of Cherry Grove Church.

Mr. Speight, petition from citizens of Perquimans, against local prohibition in that county.

Mr. Caho, petition from citizens of Kinston protesting against a change of their charter.

Mr. Dortch, petition for the repeal of the charter of the Cotton Exchange at Goldsboro. Also a petition from the colored people of Goldsboro, asking that the trustees of the colored graded school be changed.

Mr. Gray, petition from Edgecombe for aid to the State Guard.

Mr. Purnell, petition from citizens of Garner Station, Wake county, asking to be incorporated.

Mr. Payne presented the majority report on the railroad commission and stated that the committee had agreed to adopt the Boykin bill, with certain amendments.

Mr. Clark stated that the committee would present also a minority report.

Mr. Dortch moved that the bill and reports be printed, 500 copies each, and made the special order for Tuesday next at 11 o'clock. Ordered.

Mr. Womack, bill to divide the State into nine Congressional districts.

Mr. Webb, bill to amend the charter of King's Mountain, in Cleaveland.

Mr. Pemberton, bill to allow Z. F. Long, late sheriff of Richmond county, to collect arrearages of taxes.

Mr. Watson, resolution authorizing the State Board of Education to adjust and settle the claim of Rev. C. H. Wiley, late superintendent of common schools.

Mr. Boykin, bill to incorporate the Wilmington, Point Caswell and Clinton Railroad and Steamboat Transportation Company.

Mr. Dotson, petition against prohibition

for Chapel Hill church, in Iredell, for two and a half miles.

Mr. Dortch moved that the copies ordered printed of the railroad commission be increased from five hundred to one thousand. Ordered.

Mr. Dortch, bill to amend the act concerning the colored graded school in Goldsboro.

Mr. Hill, bill and petition to aid in the drainage of swamp lands in Pender and Duplin counties. He moved they be printed. Ordered.

Mr. Gray, bill to incorporate Princeville, in Edgecombe county.

Mr. Evans, bill to regulate salaries and fees of magistrates and for other purposes.

Mr. Boykin asked for a suspension of the rules, and the bill for constructing the Wilmington, Point Caswell and Clinton Railroad and Steamboat Transportation Company was put on its readings. Passed its third reading.

Mr. Scott, of Rockingham, asked that the bill to incorporate the town of Trenton, Jones county, be taken up.

Mr. Pemberton amended this bill by striking out "50 and putting in 75." The bill passed its second reading—yeas 33, nays none.

Mr. McLean asked for a suspension of the rules, and the bill to amend and consolidate the acts incorporating the town of Lumberton was put on its readings. Passed its second reading—yeas 29, nays none.

Mr. Farmer, bill to amend the act establishing the Department of Agriculture. It changes the act so as to elect from each Congressional district in the State a representative for that department; the election left with the Legislature.

Mr. Dortch said it seemed to be a very important bill, and moved it be printed. Ordered printed.

Bill to amend an act concerning salaries and fees. Passed the third reading with Senate amendment and was returned to the House for concurrence in the amendment. This bill allows the constables the same fees as the sheriffs.

Bill to amend laws to regulate fishing in Pamlico and Tar rivers was made special order for next Friday.

Bill in regard to punishment for concealing the birth of a child. Mr. Payne offered a substitute making the man concerned as well as the woman indictable. The substitute passed its third reading.

Bill to provide an alternative method for keeping in repair the public roads in Forsyth, was on motion of Mr. Alexander made special order for next Tuesday.

Bill concerning the registration of certain deeds. Mr. Boykin explained that this bill provides to cure that defect in the law where the grantor refuses to acknowledge the deed and there is no subscribing witness, the grantee, his heirs or assigns may issue

notice returnable before a clerk to the grantor, requiring him to appear and show cause why the deed should not be registered, and if he does not appear an order of registration is made; if he appears and denies the execution the pleadings are drawn and the issue certified to the Superior Court and tried by a jury.

Mr. Scott, of Rockingham, gave notice of amendments to the bill on its third reading. The bill then passed its second reading.

Bill to incorporate the Charlotte Cotton Mill.

Mr. Alexander objected to the amendment of the committee as a double tax on the property and the stock of the company.

Mr. Scott, of Rockingham, gave reasons for the committee's action on the bill, and suggested that the ideas of the Senator from Mecklenburg were better fitted for the revenue bill than for this. Bill with amendments passed its third reading.

Bill relating to the clerks of superior courts. This was a substitute to Mr. Jones' original bill, which amended the "Monday act" so as only to require clerks to be in their office "on the first Mondays in every month," and the substitute from the committee provided for the first and second Mondays in July and August.

Mr. Scott, of Rockingham, thought clerks should have recreation during July and August, except on the first Mondays of those months, and amended only as to these months.

Mr. Jones pressed the Monday exemption in the original bill.

Mr. Morehead said the best way to remedy these holiday reliefs was to re-establish the old county court system.

Mr. Loftin opposed the bill. He thought the public's convenience of more consideration than the clerk's health.

Mr. Payne moved to table the whole business. The Senate refused to table.

The special order (the bill in regard to county treasurers) coming up, further discussion as to the relief of Superior Court clerks ceased and the bill was passed over.

The bill in regard to county treasurers failed to pass its second reading.

Bill for the protection of landlords against damage to their premises by tenants. The substitute from the committee passed third reading. [This was Mr. Watson's bill.]

Mr. Jones here explained his position on his amendment to the bill for Superior Court clerks. It only required their presence on the first and third Mondays in every month. Of course there is a deputy clerk, and the office always remained open to the public, and he asked this relief for the clerks of a belt of counties up west.

Mr. Payne earnestly hoped the Senate would not grant this exemption, for the very reason that the present law requiring the

clerk's presence in their offices every Monday in every week had been on the statute book since 1872, and never asked to be changed, and for the further reason that it was establishing a bad precedent. He trusted the law would stand as it was.

Mr. Womack agreed with Mr. Payne. It was a step in the wrong direction and should not be changed.

Mr. Lovill said the clerk's presence every Monday was necessary to the business of his county, and if the clerks in other counties couldn't stand it, let them resign. Others could fill their places; the people were not interested in their going off in the summer "attending the watering places."

Mr. Cahoon said the clerk in his county could stay in his office only one-tenth of the time and attend to all the business. His clerk was a good farmer, and if allowed to take a trip west during the hot months might spend some money there. He thought the amendment should pass, and called the previous question, after adding the counties of Pamlico and Dare to Mr. Jones' belt of counties.

Mr. Jones' amendment was voted down.

Mr. Scott's (of Rockingham) amendment was voted down.

Mr. Lovill's amendment was voted down. All amendments voted down.

The substitute offered by the committee, exempting the first and second Mondays in July and August, was voted down. The original bill was next voted down.

Mr. Clarke sent up the report of the minority on the railroad commission.

Mr. Boykin's bill regarding the registration of deeds, passed its third reading.

House bill and Senate bill regarding the killing of live stock on the railroads and making it indictable. Mr. Ebbs said he differed with Senators who said this bill was unfair, unjust and unconstitutional. He spoke to the bill and hoped it would pass.

Mr. Purnell offered a substitute.

Mr. McLean moved to lay the whole matter on the table.

Mr. Ebbs asked the yeas and nays. Not ordered.

The bill was tabled.

Bill for enforcing a lien on a judgment and extending the time from six to twelve months, passed its third reading.

Mr. Purnell, bill to exempt members of the Hook and Ladder Company of the city of Raleigh from militia and jury duty after seven years' continuous service.

Mr. Cozart, bill to restore the office of county treasurer.

Mr. Scott, of New Hanover, bill allowing John Green and Samuel Hines to redeem land sold for taxes.

Mr. Loftin, bill to abolish Inferior Courts.

Bill to prevent defacing signs or pulling them down on public roads. Mr. Penber-

ton said the committee thought it was going too far, as the law already protected public notices; for instance, under this bill if a man should happen to write on a sign "Take Simmon's Liver Regulator," "Don't take it," which would be very good advice, he would be indictable for defacing a sign.

Mr. Morehead said that such defacing was sheer deviltry and should be stopped, a party had no business interfering with a legitimate sign in any shape or way. The bill was tabled.

Bill to amend the act relating to probate of wills. Passed its third reading.

Bill to amend section 369 of the Code of Civil Procedure, striking out "Supreme" and inserting "Superior." Passed its third reading.

Bill to amend chapter 83 of Pattle's Revisal. Substitute from the committee as to drag nets for certain counties. Passed its third reading.

Bill amending the telegraph law, making indictable the pulling down of telegraph poles so as to apply to telephones, passed its third reading.

Bill to incorporate the Baptist Female College at Shelby, passed its third reading.

Bill to amend the act relating to the stock law, passed its third reading.

Bill to amend the charter of the city of Charlotte, passed its third reading.

Bill to amend the law so as to prevent renters of houses from holding over when notified by landlords to quit the house, substitute from committee, passed its third reading.

Bill to incorporate Rocky Mount Agricultural Association, passed its third reading.

Bill authorizing the Virginia and Carolina railroad company to construct, equip and operate lines through the State, passed its third reading.

Mr. Dortch in the chair. The calendar was again cleared. Adjourned.

NOTE.—Mr. Cahoon offered a petition yesterday from citizens of Middleton, in Hyde, for repeal of prohibition.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Mr. Worthington in the chair.

Prayer by Rev. Dr. E. A. Yates.

PETITIONS

were introduced as follows:

Mr. Bullock, from liquor dealers in Louisville.

Mr. Hardy, asking for the appointment of a justice of the peace.

Mr. Simmons, from the citizens of Beaufort county, asking that the sale of liquor be prohibited within three miles of Shady Grove Church. Asking that the town of Stanton be incorporated.

Mr. Houston, relative to the appointment of justices of the peace.

Mr. Sandifer, asking that the charter of the city of Charlotte be amended.

Mr. Phillips, protesting against prohibition at Westfield in Stokes county.

Mr. Wood, asking for prohibition within two miles of New Hope, South John and Bank Chapel.

Mr. Harris, of Wake, asking that convict labor be not placed in competition with honest labor in the county of Wake.

Mr. Walker, from Graham county, asking that the contract of the Western North Carolina Railroad be not changed.

Mr. Lineback, asking that the sale of liquor be prohibited in certain localities in the county of Mitchell.

REPORTS OF COMMITTEES.

Sundry committees reported variously on the following bills:

To amend the law in regard to sheriffs' fees. To protect oysters. To incorporate the Centurion Benevolent Society. To amend the charter of the town of Salisbury. To lay out and construct a public road in Pamlico county. To amend chapter 65, Battle's Revision. To repeal chapter 191, laws 1881, and chapter 216, laws of 1881.

BILLS

were introduced, passed their first reading and were referred and disposed of as follows:

Mr. Sherrill, to amend the law in regard to the keeping of the poor. Judiciary.

Mr. Phillips, to change the time of holding the Superior Courts of Surry and Stokes counties. Judiciary.

Mr. Patrick, to incorporate the Seaboard Manufacturing Company. Corporations.

Mr. Sherrill, to incorporate Oxford Toll Bridge, in Catawba county. Corporations.

Mr. Simmons, to incorporate the town of Stanton, in Beaufort county. Corporations.

Mr. Thompson, an act in relation to oyster gardens.

Mr. Dixon, to authorize the treasurer of Greene county to pay Dunson A. Lane. Claims.

Mr. Lineback. To prohibit the sale of liquors within two miles of certain churches in Mitchell county. Propositions and Grievances.

CALENDAR.

The following bills were disposed of as follows:

Substitute for an act to amend the law in regard to sheriffs' fees, passed third reading.

In regard to paying jurors their per diem in cash.

To provide for the protection of female convicts. Referred to the committee on penal institutions.

To remit the tax fee on the bill incorporating the Wilkesboro Bridge Company. Passed third reading.

To repeal the law prescribing the duties of coroners. Tabled.

In relation to the boards of county commissioners. Tabled.

To exempt from taxation \$100 worth of farming and mechanical tools. Tabled.

SPECIAL ORDER.

To establish twelve judicial districts in North Carolina.

Mr. Bunn moved to postpone, and that it be made the special order for next Wednesday night week, at 8 o'clock.

The motion prevailed.

CALENDAR (resumed.)

To establish a new county by the name of Richlands. Re-referred.

To amend the act to establish the Department of Agriculture, Immigration, etc. Ordered to be printed and made the special order for Friday at 11 o'clock.

To repeal chapter 65, Battle's Revision, relative to liens. Referred.

To amend chapter 262, laws of 1881. Tabled.

MESSAGES

were received from the Senate informing the House that the Senate had passed the following bills:

House amendment to an act to amend chapter 216, laws of 1876-77.

To incorporate the banks of Goldsboro.

To incorporate the Wilmington, Point Caswell and Clinton Railroad and Steamboat Transportation Company.

To protect fish in Elk river.

Act for the relief of E. Kiver.

To incorporate the town of Kill Quick.

To establish a United States light house board.

Act for the relief of W. Floe and others.

To validate the registration of certain deeds for land.

To amend the landlord and tenant act.

CALENDAR (resumed.)

Mr. Bailey, of Wecklenburg, moved to reconsider the vote by which the bill to amend chapter 262, laws 1881, was laid upon the table. Mr. Robins moved to lay that motion on the table, which was carried.

To require all druggists to pay same tax as retail liquor dealers. Tabled.

To incorporate the Wilmington, Point Caswell and Clinton Railroad and Steamboat Transportation Company.

Mr. Forbis moved to refer to the committee on corporations.

Mr. Bunn opposed the reference, and said it was a purely local matter; that some of the names included in the bill were some of the best men in North Carolina, and that if we could not trust them who could we trust?

Mr. McCotter could see no reason why it should be referred.

Mr. McLoud thought that we could trust the Senate; that they had passed the bill and that it was meritorious or they would not have passed it, and he hoped the motion to refer would not prevail.

Mr. Green, of Franklin, thought that there could be no objection to referring, and that while we ought to pay due respect to the Senate, yet we were not here to pass solely what the Senate recommended.

Mr. Peebles was opposed to referring and thought there was no reason for such action, for the same subject had been discussed a dozen times; that the rights of the people were fully protected and he could see no reason for delay in this matter.

Mr. Sherill thought if the members from the counties affected had no objections to the bill he could see no reason why this General Assembly should oppose its passage.

Mr. Williamson said that it was purely a local matter and that he hoped the bill would pass without delay.

Mr. Frazier said it was not the first time local bills had been passed without being referred and he hoped it would be the case in this instance.

Mr. Forbis changed his motion to refer to the committee on corporations to the judiciary committee, which was lost. The bill then passed its third reading.

To increase the number of the justices of the peace in each township in every county in the State.

Mr. Page moved to amend by electing by the qualified voters of each township.

Mr. Page's amendment was lost.

Mr. Bower said that the provisions of the bill were simple that whereas we had heretofore had three justices of the peace, that now we would have five for each township. That the bill would give a large, and a better representation of magistrates to the people, and that the voice of the people would then be better heard, through this increase; he was in favor of giving the Republicans some of the additional appointments. He regarded this office as a very important one, and he hoped the bill would pass.

Mr. Powers, of Cumberland, moved to amend by saying that the additional justices be appointed one from each political party.

Mr. Powers said that the amendment ought to prevail; that the Republican party was entitled to some recognition on the board of magistrates. That the party in the majority ought to remember that under the present system of county government that party had seen its majority in the State dwindle down from thousands to hundreds. That it would be better for his party to go into the next campaign with the present system of county government.

Mr. Lenoir thought the amendment would not work in the townships where there were no Republican voters.

Mr. Sherill was surprised that the gentleman from Cumberland should be so much against this plan of county government if it

was going to work to the benefit of his party. That this system had rolled him out of the Democratic party and that it was a good revolution. That he thought the Democratic party ought not to allow itself to be dictated to in this matter, but that it ought to use its discretion in its appointments.

Mr. Harris, of Wake, thought that when justice was to be done party ought not to be considered. That there could be no objection to have every political complexion represented, except it might hurt some Democrat who wished to be kept in power.

Mr. Thompson thought that it was in bad taste for the Republican party, after having made a whole campaign against this system and having been whipped out, to come here and beg for a crumb. He was opposed to giving anything to them after having fought so long to keep them out of power.

Mr. Peebles said that the gentleman from Cumberland was very much exercised by \$1,800 having been robbed from the school fund of his county, yet he could show that not one cent of it had ever gone into dishonest hands; that he had forgotten that when the party to which he was allied came into power there was \$150,000 of this school fund which was squandered, and not one cent ever accounted for. That when they had the appointment of judges that they did not give one single judge to the Democratic party, but that they appointed some from their own party, who were the foulest blots on the judicial ermine of North Carolina that had ever been on any ermine. They gave the Democrats no credit for retaining Dr. Grissom as the head of the Insane Asylum. He could not read in the voices of the people in the last election anything like the people were dissatisfied with the present system when you take into consideration the revenue officers, (the like of which the eye never before beheld), Northern money, etc., which were used by the Republican party in that campaign. In reply to the question of Mr. Harris, of Wake, if he thought the people of North Carolina were not capable of local self-government, he said that he thought the Democratic portion of the people were perfectly competent and capable of local self-government. He hoped the bill would pass without amendment.

Mr. Harris, of Wake, deprecated that politics had been brought into this matter, but he was not responsible for its being brought into it. But he would be untrue to himself and his party if he did not defend his party; that the gentleman had alluded to money being squandered ten or twelve years ago by the Republicans; he supposed that the gentleman alluded to the special tax bonds; that those bonds were passed by the Legislature and turned over to five railroad presidents, three Democrats

and two Republicans, and that then the Republican party's connection with them ceased, and that if they were stolen, then they were stolen by three Democrats and two Republicans. He did not himself believe that any man was guilty of fraud in these bonds, but the man who was tried by Judge Buxton, one Andrew Jackson Jones.

Mr. Bower moved the previous question, which was ordered.

The question first recurred on the amendment, which was lost by the following vote:

YEAS—Messrs. Baker, Belcher, Bledsoe, Bridgers, Bruce, Bryan, Bullock, Candler, Covington, Cheek, Dixon, Eaton, Frazier, Grissett, Hamilton, Harrison, Harris of Wake, Hewlin, Jenkins, Johnson of Craven, Landreth, Lineback, Mitchell, Montgomery, Page, Person, Poe, Powers of Cumberland, Proctor, Pruitt, Reade of Person, Smith, Stokes, Temple, Waddell, and Wilcox—36.

NAYS—Messrs. Abbott, Bailey of Meclenburg, Bailey of Wilson, Barrett, Baum, Beale, Bennett, Bower, Brown, Cunn, Byrd, Crouse, Cowell, Forbis, Fulton, Gatling, Glenn, Green of Franklin, Gudger, Hardy, Harris, of Davidson, Hayes of Swain, Holt, Houston, Johnson of Johnston, King, Lawrence, Leazar, Lenoir, McAllister, McCotter, McCurry, McLoud, Marsh, Mathis, Myers, Overman, Patrick, Peebles, Phillips, Posey, Powers of Cleaveland, Ray, Reid of Gaston, Reynolds, Robins, Sandifer, Sherrill, Simmons, Stanford, Steed, Stewart, Tate, Thompson, Walker, Williams of Granville, Williams of Sampson, Williamson, Wilson, and Wood—60.

The bill then came up on its second reading and passed by the following vote:

AYES—Messrs. Abbott, Anderson, Bailey, of Wilson, Barrett, Baum, Bennett, Brown, Bunn, Byrd, Cheek, Crouse, Cowell, Forbis, Fulton, Gatling, Glenn, Green, of Franklin, Green, of New Hanover, Gudger, Hardy, Harrison, Harris, of Davidson, Harris, of Wake, Hayes, of Swain, Hewlin, Holt, Houston, Johnson, of Johnston, King, Lawrence, Leazar, Lenoir, McAllister, McCotter, McCurry, McLeod, Marsh, Mathis, Myers, Newby, Overman, Page, Patrick, Peebles, Person, Phillips, Posey, Powers, of Cleaveland, Powers, of Cumberland, Proctor, Ray, Reid, of Gaston, Reade, of Person, Reynolds, Sandifer, Sherrill, Simmons, Smith, Stanford, Stokes, Sutton, Tate, Temple, Thompson, Walker, Williams, of Granville, Williams, of Sampson, Williamson, Wilson, Wood.—70.

NAYES—Messrs. Baker, Belcher, Bledsoe, Bridgers, Bruce, Bryan, Bullock, Candler, Covington, Dixon, Eaton, Grissett, Hamilton, Hayes, of Robeson, Jenkins, Landreth, Leary, Lineback, Montgomery, Pittman, Poe, Pruitt, Riggs, Robins, Steed, Stewart, Waddell, Wilcox.—80.

The bill then came up on its third reading, and pending the consideration of it the House on motion adjourned.

SENATE.

THIRTY-SECOND DAY.

WEDNESDAY, February 8, 1883.

The Senate was called to order at 10 o'clock.

The journal of yesterday was read and approved.

Mr. Clarke, petition from the Mayor and 250 tax-payers of Newbern and Craven county, asking for aid for the State Guard.

Mr. Strayhorn, petition of citizens of Caswell county relating to the Methodist church at Leasburg.

Mr. Payne, petition from citizens of Monroe, asking for a graded school. Mr. Payne said the petition would be followed by a bill.

Mr. Pemberton, petition from certain citizens of Stanley, praying for the repeal of prohibition at Big Lick.

Mr. Webb, petition from citizens of Cleveland, asking for prohibition in three miles of Camp Creek Baptist church.

Mr. Ebane, petition from citizens of Bertie, asking for the repeal of the prohibition act so far as it relates to that county.

Mr. Lyon, petition from citizens of Bladen against fishing with nets, etc., in White Lake; also a petition from citizens of White Oak township, asking for a stock law.

Mr. Toon, bill to amend the Pharmacy Act, also a bill to incorporate the town of Chadbourn in Columbus county.

Mr. Strayhorn, bill to amend the laws concerning the Methodist church in Caswell county.

Mr. Boykin, bill to amend section five, laws of 1876-77.

Mr. Goodwyn, bill to allow Jas. F. Dawson, late sheriff of Halifax, to collect arrearages of taxes.

Mr. Costner, bill to amend law relative to the town of Mount Holly, in Gaston county.

Mr. Lyon, bill to prohibit fishing in the waters of White lake, &c., in Bladen.

Mr. Scott, of New Hanover, petitions of citizens of Burgaw, Pender county, for repeal of the prohibition law as applied to Burgaw.

Mr. Ebbs, bill to prohibit the sale of liquors in certain localities in Madison, and a petition with the same.

Mr. Lyon, bill to prohibit the sale of liquor in two miles of Spout Spring Methodist church in Bladen.

[The chair here stated to the Senate that he had a telegram from Newbern dated the 7th of February, giving information of the death of the wife of Senator Whitford at 8 p. m., on yesterday. This information would explain the continued absence of that Senator.]

The clerk read the original bill for the sale of the State's interest in the Cape Fear and Yadkin Valley Railroad. There are two substitutes from the committee for this bill, and section 9 is to amended that the convicts shall not be employed on any branch of said railroad, except the Yadin Valley branch until the said railroad is completed to Mt. Airy and Patterson. Another amendment secures the completion of the road to Patterson, in Caldwell county, by providing if the work be delayed or the grading suspended until the road is completed to Patterson, then the company shall forfeit all right or claim to the convict labor, and all bonds due the State from said railroad company for convict labor shall become the absolute property of the State; and, also, the seventy thousand dollars of new North Carolina bonds, deposited by the company with the State treasurer, shall likewise become the absolute property of the State, etc., etc.

These amendments were reported by Mr. Linney, and not Turner, as printed for the majority report of the committee.

Mr. Pool offered the minority report, which is not clogged with guarantees in the sale of the State's interest and the onward building of the road.

Mr. Dortch said he was not opposed to a sale of the State's interest, but thought it ought to be sold at public auction, so as to give everybody a chance, and he offered an amendment to that end to the original bill as follows: "Strike out all after the word 'company,' in section 1, line 7, down to the word 'upon,' in line 16, and insert the words 'at public auction after 90 days' notice in such newspapers as they may select.'"

Mr. Watson said he was not feeling well, but if his strength could hold out he would give the Senate some history of the company, condition of the road, &c. He said the State owned \$550,000 worth of stock, valued now at ten cents in the dollar, making \$55,000 the value of the State's interest. It is necessary to sell, as the company has had to borrow \$150,000, and hypothecated its bonds for \$300,000, with about \$52,600 of mortgage bonds besides. There are eighty miles of road graded ready for the iron, and the company has not the credit to buy it, and so the State must help it. The State would do well to give \$55,000 to any syndicate that would cut across these lines and complete the road to Greensboro, thereby putting the Wilmington and Weldon, the Raleigh and Augusta and the Richmond and Danville Railroads in competition with each other.

As to Mr. Dortch's amendment proposing to sell the State's interest at public auction, he spoke of iron and coal in inexhaustible quantities on the Dan river beds that this road would pass through, and as far as the

county of Surry is concerned these iron beds are all over the county; the very finest iron; the county might be said to be one vast bed of iron. He spoke of the Yadkin Valley as one of the fairest valleys the eye of man had ever beheld; its Representatives had stood here on this floor and voted vast sums to help the east and west with railroads and never till to-day had they asked the State for help for themselves, and now not for themselves alone, but for this bill, which, in its policy, would help the whole State. In all such internal improvements as these it was the duty of the State to furnish convict labor free to any community that desired it. To construct this road as the syndicate proposed would be worth to North Carolina ten-fold fifty-five thousand dollars, because the first mortgage bonds with the road unfinished would be as the State's stock now is. The State of North Carolina ten years after the building of the road from the South Carolina line to the town of Patterson would be worth ten-fold more than the cost of the whole building of the road. He had rather this road stand as it is than to adopt the amendment of the Senator from Wayne, and he warned this Senate now if they adopted that amendment this road would pass into some railroad's hands that would throttle it.

Mr. Morehead said he arose merely to move the postponement of the bill for further discussion until to-morrow, in order that the Senators might be better conversant with the facts. Taking the statement of the Senator from Forsythe, the actual value of the State stock was merely mythical—he understood the value to be about two dollars a share, as fixed by the last General Assembly. This railway got the \$150,000 by putting up three hundred thousand dollars in bonds which were endorsed besides by private gentlemen as a guarantee to the bonds. From the calculations he had seen made it would take five hundred thousand dollars to buy the iron on the main track to Mt. Airy before beginning the branch to Patterson. He represented a constituency who were interested in the road who were now paying a subscription on the invitation to build this road, and all they wanted was some proposition that would build the road; three townships in his county had given \$23,000 in cash to this road, and they had actually given the company the money to buy the carts and picks and shovels to start the road; the company hadn't a cent to buy them of itself; his constituents had gone on their private means and were now paying their money with the understanding that this road would be completed, and it was a moral obligation on the part of the State that this road should be built or else the money refunded to his constituents. The present company had neither money or credit. He asked the

attention of the lawyers to these new special act bonds, issued by the Legislature of 1868, and the question was whether the holders of those bonds could not go on the stock of the State for the payment of those bonds. This offer to purchase contains two propositions; one is simply to buy out, and the other is on the extension of these branches that what they gave should be reimbursed to the company. He thought when the Senate should fully understand the facts that one or the other of the propositions would be accepted.

Mr. Loftin asked Mr. Morehead which of the propositions he was for?

Mr. Morehead replied that his constituents were for continuing the road to Patterson, whence they could bore a hole through the mountains for the West or dig deep ditches for the East; the people of Guilford, through their Representative, always stood with an outstretched hand. He moved a postponement of a further discussion of the bill till to-morrow at 11 o'clock.

Mr. Dortch said he was in favor of the sale of the State's interest in the road, that it might be completed. He would do everything in his power to aid the people in that section of the State, but thought his amendment to sell at public auction should prevail, to prevent complaints and give all who may desire to purchase an opportunity to bid.

On motion of Mr. Morehead the bill was postponed till to-morrow.

The special order, Mr. Poole's bill for building a residence for the governor, came up. Mr. Poole spoke to the bill. He thought it time that the General Assembly was obeying the command in the constitution to provide such a residence. This bill provides that the money derived from the sale of the old governor's mansion and the sale of the lots made by a previous General Assembly, with the use of the convict labor, shall go to building a residence on Furke square.

Mr. Scott, of Rockingham, asked the amount for the sale of these lots.

Mr. Poole answered that the amount derived from the sale of lots was \$17,000; the amount that may be derived from the sale of the old Governor's mansion about \$8,000, and with that and the use of the convicts they could put up a \$35,000 building.

The bill was put to a vote of the Senate. Mr. Cozart asked for the ayes and noes. Not granted. The bill passed its third reading.

Mr. Caho asked that the bill to amend the charter of the city of Newbern, allowing them to increase taxation, be taken from the table.

Mr. Clarke opposed it; hoped the bill would stay where was.

Mr. Caho's motion prevailed, and the bill

was restored to the calendar—yeas 16, nays 10.

Mr. Clark made the point of order that it required a two-thirds vote.

The chair asked the gentleman to point out the rule. The chair then read rule 28, "that no bill or resolution on its third reading shall be acted on out of the regular order in which it stands on the calendar, and no bill or resolution shall be acted on its third reading the same day that it passed its second reading, unless so ordered by a vote of two-thirds of the Senators present." The chair said if there was any other rule on the subject he failed to see it.

Mr. Boykin asked for a suspension of the rules, and the bill to incorporate the town of Caswell, in Pender county, was taken up and put upon its readings. An amendment from Mr. Scott, of New Hanover, to allow the county commissioners to grant liquor licenses without an order first of the town board. On it he got the yeas and nays, yeas 11, nays 21, and it was voted down. The bill passed its second reading, yeas 26, nays 3.

Bill to incorporate the town of Lumberton, passed its third reading, yeas 26, nays none.

Mr. Pool asked a suspension of the rules, that the bill to facilitate the construction of the Newbern and Beaufort canal be put on its readings. Granted, and the bill was read. It gives the State's stock in the Chesapeake and Albemarle Canal, of 2,500 shares, to the Newbern and Beaufort Canal, they to turn it into useful navigation.

Mr. Clarke showed maps of the country and spoke in favor of the transfer, showing the benefit of it to the eastern portion of the State.

Mr. Webb said he would like further to look into the bill. It was a matter of grave importance, and he moved it be made the special order for next Monday at 12 o'clock.

Mr. Pool said the gentleman could get any information he desired right now.

Mr. Purnell agreed with Mr. Webb. He would like further to investigate it.

Mr. King of Cherokee, for the committee, said the State stock was \$250,000. It was of no value now, and as it would build up the enterprise and help the eastern part of the State, the committee reported favorably upon the bill.

Mr. Webb changed his move for special order at half-past 1 o'clock Friday, with also motion to print the bill. The Senate so ordered.

Mr. Woodhouse, bill to regulate the killing of wild fowl in the waters of Currituck county.

Mr. Pemberton moved to reconsider the vote by which the bill in regard to county treasurers failed to pass its second reading yesterday. It was reconsidered and recom-

mitted to the judiciary with all its pending amendments.

Mr. McLane, petition from citizens of Robeson, asking to abolish the law on agricultural liens. He stated he introduced it by request.

Adjourned.

[Report of committee on education concerning the resolution of inquiry as to delay in printing the report of the Superintendent of Public Instruction.

"I am instructed to report that the committee on education have made inquiry concerning the delay in publishing the report of the Superintendent of Public Instruction, and that no blame is to be attached to any one on account of neglect.

"The county reports to the Superintendent are not due until January 1st; then his report is to be made up from such reports. Hence the apparent delay.

PEMBERTON,
for Committee."

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 7, 1883.

The House was called to order by Mr. Worthington at 10 o'clock.

The reading of the Journal was dispensed with.

PETITIONS.

Petitions were introduced as follows:

Mr. Stringfield, from citizens of Warren county, relative to the sale of liquors.

Mr. Powers, of Cumberland, relative to a free bridge over Cape Fear River.

Mr. Stanford, from citizens of Duplin, relating to the per diem of jurors.

Mr. McLoud, from Buncombe, asking aid for the State Guard.

Mr. Brown, asking a modification of the tax on purchases.

Mr. Thompson, relative to the appointment of justices of the peace.

Mr. Smith, asking a repeal of the purchase tax on liquor, and asking aid for the State Guard.

Mr. Temple, asking a repeal of the purchase tax.

Mr. Dixon, relative to prohibiting the sale of liquor near churches in Greene county.

Mr. Bruce, asking that the contract of the Western North Carolina be not changed.

Mr. Bailey, of Mecklenburg, relative to the appointments of justices of the peace.

REPORTS OF COMMITTEES.

Sundry committees reported upon the following bills:

To elect a tax collector for the several several counties of the State. For protection of the aids to navigation within the State. Concerning the sale of liquor in Watauga county. To prohibit the sale of liquor near certain churches in Mitchell county. Concerning the sale of liquor near certain churches in Caldwell county. To incorporate the High Point and Randle-

man railroad company. To prevent fraud in packing cotton. To change the dividing line between Swain and Jackson counties. To prevent the erection of artificial islands in the navigable waters of the State. To establish the dividing lines between the counties of Harnett and Johnston. To repeal chapter 65 of Battle's Revisal, entitled Lies. To amend chapter 87 of Battle's Revisal. To amend chapter 318, laws 1879. To incorporate the town of Vebane, in Alamance county. For the relief of W. Flow and others. For the relief of E. Kerner. To prevent the felling of timber in certain rivers. To amend chapter 156, laws of 1868-69. (Landlord and tenant act.) To amend chapter 3, title 4, of the Code of Civil Procedure. To change the time of holding the courts in the counties of Surry and Stokes. To amend chapter 94, laws of 1881. To incorporate the Southern Mining, Smelting and Manufacturing Company. To validate the registration of certain deeds for lands. To make it unlawful to poison the fish in the waters of Oconalufita river, in Swain county. To repeal chapter 86, laws of 1869-70, and chapter 144, laws of 1870-71. To authorize the survival of civil actions for trespass. For the protection of mechanics and laborers. To amend the law of attachment. To allow a second action for the recovery of land. To amend the law relating to the working of public roads. To establish a railroad commission.

RESOLUTION.

Mr. Hardy, resolution of instruction to our members of Congress, to use their influence to have the light-house at Harlow Island re-established.

BILLS

were introduced, passed their first reading and were referred as follow:

Mr. Forbis, to regulate the sale of liquor by druggists. Judiciary.

Mr. Harris, of Davidson, to require sheriffs to post all delinquent tax payers. Judiciary.

Mr. Peebles, to amend chapter 242, laws of 1876 and '77. Judiciary.

Mr. Forbis, to exempt keepers of public grist mills from working the public roads. Propositions and grievances.

Mr. Dixon, to prohibit the sale of liquor near certain churches in Greene county. Propositions and grievances.

Mr. Peebles, to provide for the levying of a tax to keep up the fence around Oconeechee Neck. Propositions and grievances.

Mr. Powers, of Cleveland, to encourage agriculture. Agriculture.

Mr. Anderson, to establish the dividing line between the counties of Clay and Cherokee. Cities and towns.

Mr. Peebles, to incorporate the town of Rich Square, in Northampton county. Corporations.

Mr. Leazar, to encourage educational

enterprises in North Carolina. Education.

Mr. Williams, of Granville, concerning a devise to the Oxford Orphan Asylum. Calendar.

THE CALENDAR

was then taken up and the following bills were disposed of as follows:

To amend the charter of the town of Matthews. Passed its third reading.

To change the name of the Edenton and Norfolk Railroad. Passed its third reading.

To prohibit the sale of liquor near the office of W. G. Candler, in Buncombe. Passed its third reading.

Repealing the local prohibition laws in Person county. Referred.

To amend chapter 191, laws 1872-73. Passed its third reading.

To amend chapter 234, laws 1881. Withdrawn.

To amend chapter 11, Battle's Revisal. Failed to pass its second reading.

To provide for the more effectual punishment of crime in courts of justices of the peace. Tabled.

To incorporate the Globe Academy, in Caldwell county. Passed its third reading.

To incorporate the town of Highland, in Macon county. Passed its third reading.

The special order for this hour was taken up, it being an act to submit to the qualified voters of Davie county the question of the stock law.

Mr. Cain said that at an election held in Davie county some time ago on this question it was voted down by a large majority; that since that time the Legislature passed a stock law which the people did not want, and he hoped the bill would pass.

Mr. Overman said it was a local matter as far as the bill affected the county of Davie. If this law was passed a precedent was established that would bankrupt some of the best counties in the State. He suggested that the bill should be entitled "An act to bankrupt the county of Davie." That in the injunction cases on this subject the evidence showed that more than a majority of the voters were in favor of sustaining the act of 1881; that this county was in his district, and it was once a part of Rowan, and that he thought much of the wishes of the people of Davie county. That the gentleman said he had the names of 900 citizens and he (Mr. O.) showed one of them, and said that every name on the petition was signed in the same hand, and it was the case with every one of the petitions in favor of this bill, and that this showed that a fraud had been perpetrated. He then read the petitions he had against this bill, and commented on the difference in the petitions, and read certificates in support of his statement from the county officers. That it was to the interest of the poor man to have a stock law in this county. That the majority of the owners of property were in

favor of a stock law, and he hoped the bill would not pass.

Mr. Cain, in answer to questions of Mr. Overman, stated that he ran as an independent Democrat but supported York and Dockery, and that he had supported Ransom. That he had been into the Republican caucus once; that he was an independent Democrat and was not ruled by any party. Mr. Cain then spoke at length in favor of the bill, and in favor of the repeal of the stock law.

Mr. Leazar said that he knew the county commissioners and the gentlemen of Davie county, who had an influence in having the stock law were honorable men, and that they had practiced no unfair means in obtain this law. That there were many questions besides this question of the stock law that combined to send the gentleman from Davie here; that it would be unwise and unsafe to place the property owners at the mercy of the Republican party when that party had made it a party issue. He hoped the bill would not pass.

Mr. Phillips said it had been his policy to vote against all bills on this question which did not submit the question to the people; but that after the property owners had been compelled to take down their fences it was unjust to make them build them again just to give some one a job to build them; that it was not right or just to property holders; and that non-property holders, he held, had but little interest in the matter. He was opposed to the bill repealing the stock law for that county.

Mr. Holt did not stand here to engender any strife between classes or parties; it was not a party question. In answer to a question by Mr. Ball, he said that he did not believe, as a man, that property holders were any better than a non-property holder, but if you did not protect property you would soon have none to tax. He was not in favor of the rich man or opposed to the poor man, but in favor of protecting either when it did not hurt the other. That to pass this bill would be to ruin the property holders of Davie county; that if the stock law was not already in force there he would be in favor of submitting to the voters, but if it was changed now it would work ruin to these people; and he was opposed to the bill.

Mr. Harris, of Wake, said that the action of the Democratic party in enacting partisan legislation for this county, in the first instance, was the result of the present state of affairs there now. He predicted defeat for the Democratic party in 1884. He then spoke at length in favor of the bill.

Mr. Sherrill said that it was surprising to him that the gentleman from Wake and others on that side should be so much concerned about the Democratic party; that he must be the chairman of the Democratic

executive committee. He spoke at length in opposition to the bill.

Mr. McAllister was opposed to the bill to submit to the people, on the ground that it had already been in force in that county and the people interested did not desire to have it submitted.

Mr. Holt called the previous question and the call was sustained.

Mr. Bailey, of Mecklenburg, moved to amend by making the county pay for all fences which have been torn down and would have to be replaced.

Mr. Overman moved to lay that amendment on the table, which prevailed and carried the bill with it.

Mr. Overman moved to reconsider the vote by which the bill was tabled and to lay that motion on the table. The motion to table prevailed.

The special order for this hour was taken up, it being an act to amend chapter 240, laws 1874-75.

Mr. Peebles said that the acts of 1874-75, was passed to prevent railroads from charging any more per mile for short distances than for long distances, but that the proviso destroyed the effect of the bill, and that this bill was to strike out that proviso. The bill then passed its third reading.

CALENDAR RESUMED.

To increase the number of justices of the peace for the several townships of the State.

Mr. Robins could see no use in increasing the number of justices of the peace in North Carolina.

Mr. Holton was opposed to increasing the number of justices because he thought it would result in no good to the counties and would be expensive.

Mr. Wilcox moved to table the bill, which was lost.

Mr. Gudger said the bill as amended by him, would only give one for every 1,000 inhabitants, and two for every township, whereas the bill would give two for every 1,000 inhabitants. The amendment of Mr. Gudger was lost.

Mr. Green, of New Hanover, moved to amend by appointing every male in North Carolina 21 years of age, which was lost.

Mr. Waddell moved to refer to the committee on appointment of justices. The motion was lost.

The bill then passed its third reading.

To empower the trustees of the Supreme Court library to appoint a librarian. Third reading.

Substitute for an act to increase the fees of justices of the peace.

Pending the consideration of this bill the hour of adjournment arrived and the House stood adjourned.

SENATE.

THIRTY-THIRD DAY.

THURSDAY, February 8.

Senate called to order at 10 o'clock.

Prayer by Dr. Atkinson.

Journal read.

Mr. Ramsay got indefinite leave for the Senator from Orange.

Mr. Graham, petition from certain citizens of Montgomery for the repeal of prohibition at Troy.

Mr. Boykin, petition of certain citizens of Sampson concerning the drainage of certain low lands.

Mr. Linney, petition for appointing a justice of the peace in Iredell. Went to the committee.

Mr. Alexander, bill relating to roads and highways.

Mr. Evans, bill to allow justices of the peace the same fees as county commissioners whenever they meet with said commissioners to levy taxes.

Mr. Boykin, bill to secure the better drainage of the low lands of Killee Swamp, in Sampson county.

Mr. Boykin moved that the vote by which the bill incorporating the town of Caswell yesterday passed second reading be reconsidered. It was because the bill was put on two readings yesterday, whereas as it levies a tax it cannot be put on but one a day. Bill passed second reading—ayes 30, noes 0.

Bill to incorporate the town of Trenton, in the county of Jones, passed its third reading, ayes 39, noes none. [Mr. Clarke stated that they had the small pox at Trenton, and wished the bill passed as soon as possible in order to have proper regulations for the town.]

Mr. Dortch, bill to incorporate the North Carolina Fish Oil and Guano Company.

Bill for the protection of crops in certain localities, on its third reading.

Mr. Clark stated that this was a bill that was not in operation in his county and this bill only provided the machinery for keeping up a fence. He amended by striking out W. J. Clarke's name and inserting J. J. Wolfenden and J. A. Meadows. Bill and amendment passed third reading.

Mr. Payne, bill to amend the law so as to make sureties on sheriffs' and constables' bonds liable for certain acts and trespasses of their principals. He introduced it by request.

Mr. Purnell, resolution instructing the committee on penal institutions to inquire and report why the board of directors of the State penitentiary should not be required to abandon the contract for the lease of the "Oaks Plantation," in Wake county, and cultivate the land belonging to the State, known as Camp Mangum.

Special order, bill for the sale of the State's interest in the Cape Fear and Yadkin Valley Railroad, came up.

Mr. Dortch said he had been informed by the Senator from Guilford and other friends of the road that the effect of his amendment offered yesterday would place the road in

another railroad's hands, and he certainly had no disposition to do that, so he would withdraw his amendment.

The chair stated that the discussion yesterday was not strictly in order, as the pending question was the amendments from the committee and not the general merits of the bill; but he yielded to the indulgence of the Senate and allowed the general discussion of the bill, so the discussion was resumed on the general merits of the bill.

Mr. Linney took the floor, advocating the majority report, that guarantees the company to build the road to Patterson. He gave an interesting history of Wilkes county, stating she had furnished one Governor, one hundred Stokes, who was also clerk here; paid him a high tribute and called over a list of her other great men, Cleveland and others. Wilkes had 30,000 acres of land more than Iredell, and only eight counties in the State could show more land, yet Iredell returns larger taxes on account of her railroads. Old man Sparks, in Wilkes, had a vineyard, grown up in the last three years, that he says is worth \$4,000. He merely mentioned these things to show the fertility of the country for a railroad, but he opposed the original bill because there was no guarantee they would complete the road to Patterson, and it also provides, on the completion of two little spurs to this road, that this seventy thousand dollars of four per cent. bonds should be surrendered to the assignees. Now the committee surrenderment provides this, that instead of surrendering this seventy thousand dollars in four per cent. bonds on the completion of these two little spurs, that it shall be retained by the Treasurer until this road is built to the Wilkes county line, and so he claimed that the original bill furnished no guarantee whatever, except for the building of these two little short lines. He called the attention of Senators to the fact that the seventy thousand dollars four per cent. bonds were worth fifty-five thousand dollars. It would be but mere mockery to adopt this original bill; and to pass it without the committee's amendments would be to destroy all the prospects of that country. Besides, no forfeiture of the convict labor is provided for at all. Suppose the company uses its main force of convicts elsewhere on the road and sticks only one little crippled negro on the Yadkin branch, it might get there fifty years after Gabriel blows his horn, but there would be no forfeiture under the original bill.

Mr. Morehead said the syndicate did not ask this Senate to give them a solitary cent. There is no provision in this bill that the money shall be returned to the syndicate, but there is a provision that it shall be returned to the company. While there

has been grading done in Guilford and Stokes and Surry counties, it has not been wholly done to the State of North Carolina, but by the money given by the people of these counties, and it came with ill grace from the Senator representing the Yadkin Valley branch to criticise the branches to Randolph and Danbury, when the Yadkin Valley counties had never given a cent to the road, and Guilford, Stokes and Surry had. He was for building the road to Patterson.

Mr. Clark spoke to the majority report. He favored proper guarantees, and thought, with Mr. Linney, that without such there was no assurance to the people of the Yadkin Valley of getting the road. He earnestly contended that the syndicate should be so hedged in that they must build the road to Patterson.

Mr. McLean spoke to his amendments that the convicts should not be employed on any branch except the Yadkin Valley until the road was completed from Fayetteville to the South Carolina line; and again, that the road shall be given to the first of January, 1885, to be completed to the South Carolina line. Said he, the only way for the Senator from Alexander to get his road is to come with us and complete this line. It would be the best paying road in the State. All the work was done but six miles, and the iron and cross ties. He did hope, in the interest of his people, in the interest of the people of the Senator from Alexander, and of Guilford, and of the people of the whole State, that his amendments would be adopted.

Mr. Purnell said, sitting listening to this discussion he was reminded of instructions he once read in a cook-book on how to do a rabbit. The first thing was to catch the rabbit. Senators here had no business to give away the State's interest. If we are asked by a deliberative body to help along Mr. Gray and his associates, why can't the counties of Stokes and Guilford and Surry give away their stock and interest?

Mr. Morehead said they would be willing.

Mr. Purnell. Put it, then, in your bill. Let's see your gift first—catch the rabbit, and then we'll skin it. Why is it that you shut off approach to other purchasers in the market and only allow the present company to have a share? If you have caught your hare and are determined to sell, why don't you sell in the open daylight, not come here with a bill that a syndicate of railroad experts could not understand, and only consider the claims of the present syndicate of bidders? Sell it like men, in the open daylight. I tell you, gentlemen, there is a Grecian horse developed in this bill, and I cannot stand here and give away the State's interest simply because we are asked to do it. This syndicate business is one of the modern improvements that has come along

with sewing machines and Simmons' Liver Regulator.

Mr. Pemberton said it was important that this railroad should be completed, and this was the first proposition to complete it that they had ever received. This railroad would be of incalculable advantage to the State of North Carolina, and after examining the matter carefully he had come to the conclusion that the road must go to sale any way. He wished to see the road built through the Yadkin Valley, and if this bill can be put in proper shape he wanted it passed. He was struck with a picture of a monument down the street this morning, the whole of it representing the press, and made up of Vanderbilt and Jay Gould and others; so if these corporations are going to swallow everything, be sure they have their eye on North Carolina, and he was surprised at a native of Wilmington opposing anything from natives of his own State looking looking to the development of our greatest seaport. He spoke of Fayetteville as the natural market of the Yadkin Valley counties, as it was the headwaters of navigation.

Mr. Womack replied to Mr. Purnell's argument, showing the fallacy of the State's attempting to keep the road when it will be necessarily sold under the sheriff's hammer, and the State's interest entirely lost and the road not completed, while if a sale is effected to this syndicate, the road and its branches will all be completed.

Mr. Morehead said that the speech of the Senator from Wake had done the bill good as it would cause Senators to examine it and find all his premises incorrect; that if they could find that the syndicate was given one cent, or that the stock was worth half as much as the syndicate offered for it, then he would vote against the bill.

Further discussion on the bill was postponed until eleven o'clock to-morrow.

Mr. Boykin, bill concerning inspection of timber.

Mr. Toon, bill to provide for working the Whiteville and Wilmington public road, in Columbus.

Mr. Caho, bill concerning partition in certain cases.

Mr. Neill, resolution to receive Wesley Jameson into the Deaf Mute Asylum.

Mr. Ebbs, bill against obstructing fish in Sandy Mush creek, in Buncombe and Madison.

Bill for levying a special tax in Currituck county passed its second reading--years 89, nays none.

Bill allowing creditors to sue in certain cases before their claims become due. The committee's amendments, one of them to the effect that the law should go into effect the 1st of June, 1883 were about all adopted. One amendment, offered by Mr. Scott, of Rockingham, to strike out "his creditor"

and make it read "his creditors," was not accepted by the committee. Mr. Scott spoke to the amendment; he could not see why they should hamper a creditor in any such way, permitting only one creditor to sue when a debtor is about to abscond, and shutting out the other creditors.

Mr. Dortch said it would be opening the doors too wide; they wanted every man to make his oath on his own responsibility.

Mr. Loftin thought Mr. Scott was wrong.

Mr. Scott asked Mr. Dortch if any creditor could come in and sue under the "said creditor" provision except the one that the debtor was trying to defraud.

Mr. Dortch said any creditor could come in who would make the affidavit and give bond.

Mr. Scott said that he begged to differ with the Senator. He did not see why the language used in this act should be different from that used in the law upon attachments. The amendment was not adopted.

Mr. Clarke offered amendments, basing the affidavits on the knowledge of the party making them, &c., &c., and spoke to his amendments. Without such amendments the bill was to the damage of our merchants.

Mr. Dortch said the Senator from Craven evidently did not understand the effect of the amendments that had been adopted by the committee. He said this bill was nothing in the world but the attachment law with additional guarantees thrown around it to protect the debtor.

Mr. Battle said, in his candid judgment this was a bankrupt law of the most sweeping character. It provides for anybody who would make affidavit; a man without principle, without character, without morals, might make the affidavit, simply from a personal grudge, or possibly instigated by another, and a man's credit and standing ruined. He moved to lay the whole matter on the table.

On that motion Mr. Dortch asked for the yeas and nays. Ordered.

The bill was tabled--years 22, nays 21.

Message from the House that the House refused to concur in the amendment relating to amnesty to certain parties for selling liquor without license, &c.

Mr. Morehead hoped the Senate would insist on its amendment, and made a motion to that end.

Mr. Pemberton trusted the motion would prevail. We've pardoned the kuklux, pardoned the Robeson county outlaws and amnestied everybody else, and why not pardon these and let peace prevail. He hoped the Senate would insist on the amendment. It would go a long way towards quieting the prohibition troubles to let these men go simply on payment of costs. These costs are from \$8 to \$12 each.

Mr. Jones--Does it include moonshiners?

Mr. Pemberton—No, sir. I'm not acquainted with moonshiners. There may be some up in the Senator's country, but I always thought there was no such thing; that it was a class of men who had been slandered by the revenue officers.

Mr. Womack thought the Senate should insist on its amendments. It was not fair that the liquor dealers in the counties where the commissioners had refused them license should be put on a better footing than the dealers elsewhere who had paid the tax.

Mr. Hill was for insisting on the amendments.

Mr. McLean explained that some of the citizens in his county, who had received amnesty under the Robeson county amnesty act, were the best men of the county; they had been outlawed by a partizan judge. He was afraid this Legislature was going on the record as the whisky Legislature. The amendment of the Senate was fair enough, if not a little too fair, and he was for insisting on it. If the Senate did not, he for one should hang his head in shame.

Mr. Ramsay said he thought that courtesy required they should do the usual way and ask a committee of conference.

The main question was called. The vote was taken and the Senate refused to recede from its amendment.

Mr. Caho got leave of absence for Mr. Poole after to-morrow.

Adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 8, 1883.

Mr. Speaker rose called the House to order at 10 o'clock.

Frayed by Rev. Dr. J. M. Atkinson of the city.

The reading of the Journal was dispensed with and it stood approved.

PETITIONS

were introduced as follows:

Mr. Gatling, relative to the sale of liquor near Kittrells Church in Gates county.

Mr. Standford, from Pentler county asking that the constitution be amended so as the tax paid by whites for school purposes shall go to educate the whites, and that paid by the colored population may go to educate that race.

Mr. Stringfield, from Waynesville, asking repeal of prohibitory laws. From same place protesting against the repeal of prohibitory laws.

Mr. Worthington, relative to the appointment of justices. To incorporate the town of Harrellsville in Hertford county.

Mr. Beall, relative to the sale of liquor near Fair Grove Methodist Church.

Mr. Gudger, relative to the sale of liquor near Flat Creek Baptist Church.

Mr. Wood, from liquor dealers of Lenoir county asking the repeal of the purchase tax and a modification of the license tax.

Mr. McLoud, from Buncombe county asking a change in the State tax laws.

Mr. Sherrill, asking for the relief of the sureties of Jonas Cline. Asking for a change of the charter of the town of Conover.

Mr. Thompson, from Swainsboro N. C., asking repeal of local prohibition laws.

Mr. Pitman, from Halifax, asking repeal of the purchase tax.

Mr. Johnson, of Craven, from Newbern N. C. asking a repeal of the purchase tax.

Mr. Bower, asking for a change of the line between Wilkes and Caldwell counties.

REPORTS OF COMMITTEES.

Sundry committees reported variously upon the following bills.

To amend the law in regard to the keepers of the poor. For the promotion of fish in Elk River in the counties of Watauga and Mitchell. To amend chapter 242, laws 1876 and 1877. To amend chapter 83, section 14, of Battle Revisal.

BILLS

were introduced, passed their first reading and were referred as follows:

Mr. Cheek, by request, to amend chapter 368, laws 1881. Judiciary.

Mr. Hewlin, to amend chapter 175, laws of 1876 and 7. Judiciary.

Mr. Poe, to amend chapter 243, laws 1881. Judiciary.

Mr. Newell, to amend section 4, chapter 58 of the Revised Code. Judiciary.

Mr. Speller, for the better protection of the poor of the State. Propositions and Grievances.

Mr. Leazer, to amend chapter 234, laws 1881. Propositions and Grievances.

Mr. Gudger, to prohibit the sale of liquor in certain localities of Buncombe county. Propositions and Grievances.

Mr. Thompson, to amend chapter 234, laws 1881. Propositions and Grievances.

Mr. Bower, to alter the line between the counties of Caldwell and Wilkes. Counties, cities, towns and townships.

Mr. Smith, to change the line between Wayne and Duplin counties. Counties, cities, towns and townships.

Mr. Worthington, to amend section 25, chapter 116, laws of 1881. Finance.

Mr. Rose, to authorize the publication of a geography of North Carolina for the use of the public schools. Education.

Mr. Bunn, to amend chapter 247, laws of 1881. Propositions and grievances.

CALENDAR.

The calendar was taken up and the following bills disposed of:

To incorporate the High Point and Randleman Railroad Company. Passed third reading.

Concerning pilots and pilotage. Passed third reading.

To establish a graded school in Rocky Mount.

Mr. Bledsoe read on this bill section 2, article 9, of the constitution.

Mr. Bunn said in reply that this bill drew no distinction between the races. It was only to submit the question of additional tax to the people. If they voted for it they would get the school.

Mr. Bledsoe called for the yeas and nays.

The Speaker said that the law requires that the yeas and nays shall be called.

The bill then passed its second reading.

To incorporate graded schools in Tarboro township, in Edgecombe county.

Mr. Harris, of Wake, said that the provisions of this bill requiring the property of the whites to be taxed for the education of the whites and of the colored for the education of their race was wrong and unjust. That he was free to admit that the negroes were too poor to educate their race; that his race had served the whites for 200 years, and that he hoped they would not now take advantage of them on account of their poverty. That he was opposed to it upon the higher ground of political economy.

Mr. Tate was in favor of general education, and in having it uniform; that the gentleman from Wake must not understand the question; that the State had levied a tax for general educational purposes, from which both races drew for their education, and this bill only allowed the people of this section to be additionally taxed to help this fund out.

Mr. Sutton confessed he was dull of apprehension, but he thought he understood this bill, that if the white people of any section got together and contributed money for educational purposes it would not be class legislation, but if the Legislature was asked to pass a law and put it up on the statute books he thought it would be. He wanted to know how the colored people could be educated from tax derived from them, when they had nothing to tax, that he did not have a cap to tax and the majority of his race were like himself. That if his child had to be educated in that way, he would be, like his father, an ignorant man.

Mr. Bledsoe said that the cat in the meal tub was that the Democrats did not propose to tax the white man for the education of the negroes. That he wanted them to go on record as being opposed to the education of the negro and in favor of class legislation.

Mr. Newby said that he did not think that any man in the House would be willing to see the negroes emigrate, but he should favor their emigration if any such legislation should be continued, and he thought they would go when such an injustice was done them.

Mr. Bridgers spoke in opposition to the

bill and agreed with Mr. Sutton in that part of his remark about the colored man having been in servitude for two hundred and fifty years.

This bill was further discussed by Messrs. Holt, Bunn, Myers, Green of New Hanover, and McLoud.

Mr. Bledsoe moved to amend by having the money divided pro rata as the school fund of the State is divided and called for the yeas and nays on that amendment and the call was sustained.

The amendment failed to pass by a vote of 65 to 39, a strict party vote.

The previous question was called and sustained and the bill then passed its second reading by a vote of 74 to 23.

SPECIAL ORDER

for this hour, being a substitute for a resolution and a bill in favor of wounded Confederate soldiers, was taken up.

Mr. Tate said that this was a matter of \$75,000, that he had all the sympathy for a wounded Confederate soldier that any one could have, that he was one himself, though not covered by that bill. That he stated this that the House might know what they were doing.

He moved to refer to the finance committee.

Mr. Sherrill said that as far as he was concerned he was willing to be left out of the provisions of this bill in order that those of his countrymen who needed it might get this relief. He was in favor of the law of restitution; that many of these men were young men, and had nothing to do with the civil war, but the State demanded their services, and in many instances they lost their education besides their limbs. That the State could not restore what they had lost; that nothing but the act of God to do that. He was willing to go on record on it now, but was not opposed to referring.

Mr. McLoud was opposed to reference, and was willing to go on record now. That these men had nothing to do with the war, but went in obedience to the call of the State, from a sense of duty. It was the duty of North Carolinians to make some restitution to that class of unfortunates who, in answer to the call of their State, became disabled.

Mr. Stanford was in favor of deciding the question now, and was ready to go on record. It was a debt we owed them, and when they went in we promised to take care of them, and we ought not now to refuse to help them because the flag they fought for went down in blood and defeat. He believed that the people of his county would be willing to pay this pittance; and if there was a man in Duplin county who would not, he did not want his vote. He was in favor of coming to a vote at once.

Mr. Forbis was opposed to reference—was ready to go on record now. He alluded to

the dark days of 1861 and '62, when the call for troops was made by the State.

Mr. Williamson said: I am ready now to go upon record for this measure. While I endorse every word that has been said by the gentlemen from Buncombe and Duplin, if such a thing were possible it would be one of the proudest acts of my life to stand upon this floor to-day and tax my children's children for the support of this unfortunate class of men.

Mr. Page said the question was to postpone. What! to postpone relief to the men who went in battle and shed their blood for us. There ought to be no postponement, but the relief ought to be given or not given at once; that while he had marks on his body of the late unpleasantness he would carry to his grave, that he would not come under the provisions of the bill, but there were many in his section who needed it, and to whom it would be a great relief.

Mr. Robbins thought we ought to go slow in this matter, and thought the bill ought to be referred.

Mr. Powers, of Cumberland, was opposed to referring, and thought if there was a measure before this Legislature that had been delayed it was this one, and he was in favor of deciding it at once.

Mr. Glenn would be willing to vote for this bill, and then be willing to vote the revenue to meet it.

Mr. Lenoir said he was one of those whom the act covered, and he thought we ought not to act too hastily; that the widows and orphans made by the war ought to be considered. He thought it would be better to refer.

Mr. Harris, of Wake, was in favor of referring.

The motion to refer prevailed.

The second special order for this hour, being the Senate amendment to an act to grant amnesty and pardon to persons selling liquor without license. Messrs. Rose, Powers, of Cumberland, McCloud and others spoke against concurrence in the amendment, and, upon a vote, the House refused to concur.

A message was received from the Senate transmitting the Senate amendment to the bill to charter the town of Trenton.

Mr. Page said that he favored concurrence in the Senate amendment, and asked that the bill be immediately placed upon its passage. He stated that his people were afflicted with the awful disease of small-pox, and wished some law to regulate the town of Trenton.

The House concurred in the amendment.

CALENDAR RESUMED.

Bill concerning a devise to the Oxford Orphan Asylum. Passed third reading.

Mr. Simmons asked to be relieved from serving as chairman of the House committee on the appointment of justices, because

of his heavy work on other committees. He was relieved.

To amend the charter of the town of Salisbury. Passed its second reading.

To establish graded schools in the city of Newbern. Passed its second reading.

To amend chapter 87, of Battle's Revision, relative to pilots for the harbor of Wilmington. Passed its third reading.

For the relief of E. Kerner. Passed its third reading.

To prohibit the sale of liquor in certain localities in the counties of Cleveland, Rutherford and Gaston.

The yeas and nays were called on the passage of this bill, and Mr. Bailey, of Mecklenburg, explaining his vote, said that ordinarily he did not like to interfere with purely local measures, but to be consistent with his record prohibition, on he should vote aye. The bill then passed its third ing.

The House then adjourned.

SENATE.

THIRTY-FOURTH DAY.

FRIDAY, February 9, 1883.

The Senate was called to order at 10 o'clock.

The journal of yesterday was read and approved.

Mr. Pemberton, three petitions from certain citizens of Big Lick, in Stanley county, asking not to repeal the prohibition laws at Big Lick.

Mr. Clark, memorial from the Board of Trade at Newbern, asking why opening a public road from Quaker bridge, in Jones, to Tar Landing, in Onslow, is not enforced by the superintendent of the penitentiary.

Mr. Graham, petition from citizens of Montgomery, asking a repeal of purchase tax.

Mr. Caho, three petitions of 431 citizens of Pamlico county, against the no-fence or stock law; and a petition from certain citizens of the same county, asking that the office of county superintendent of public schools be abolished.

Mr. Richardson, petition of certain citizens of Johnston, to prohibit the sale of liquor in ten miles of the Disciples church, at Wilson's Mills.

Mr. Webb, petitions of citizens of Dallas, in Gaston, against the stock law.

Mr. Ebbs, petition of certain citizens of Buncombe, relative to the no-fence law; also citizens from citizens of Madison, asking prohibition in two miles of Tapaw school house in Madison.

Mr. Pemberton, memorial from the citizens of Troy, in Montgomery, against the repeal of prohibition there.

Mr. Loftin, bill to provide for an enclosure of iron fence around the Caswell monument, at Kinston.

Mr. Linney, petition of certain citizens of

the Yadkin Valley (resolutions of county meeting), asking to adopt some reasonable guarantees for the completion of the Yadkin Valley Branch Railroad.

Mr. Clark, bill to protect the oyster business of the State.

Mr. Ebbs, bill to prohibit the sale of liquor in two miles of Tapaw school house, in Madison.

Mr. Richardson, bill to prohibit the sale of liquor in two miles of Disciples church, in Johnston.

Mr. Lark, resolution requesting the State treasurer to inform the people how much the Western road has cost the State. Also, resolution asking the superintendent of the penitentiary why the public road is not opened from Quaker Bridge, in Jones, to Tar Landing, in Onslow county.

Mr. Lovill asked a suspension of the rules and the bill to amend the act relative to the Watauga and Caldwell Narrow Gauge Railway Company was put on its readings. Passed third reading.

Mr. Caho asked a suspension of the rules, and the bill to change the name of the Edenton and Norfolk Railway Company to Carolina and Chesapeake Railroad Company, restricting it to go by Williamston, was put on its readings.

The Chair announced the hour for the special order had arrived, being the sale of the State's interest in the Cape Fear and Yadkin Valley Railroad.

Mr. Morehead, for the friends of the bill, said they would not object to first passing Mr. Caho's bill before considering the special order.

Mr. Caho's bill was read and passed third reading.

Mr. Dortch, resolution to pay the clerks of the Code committee \$4 a day, and asked its immediate consideration. Passed third reading and sent to the House without engrossment.

A message from the House stating that that body had passed a bill allowing the county commissioners to meet elsewhere than in the town of Trenton during the prevalence of the small-pox.

On motion of Mr. Clarke, this bill was put on its readings and passed the Senate.

The special order, the sale of the State's stock in the Cape Fear and Yadkin Valley Railroad, was resumed.

The Chair conceived that the first thing was the consideration of the amendment recommended by the committee.

The first amendment was Mr. Linney's, that no convicts should be employed on any branch of said road except the Yadkin Valley branch, until the said railroad is completed to Mount Airy and Patterson. And then Mr. McLean's amendment to this, providing, first, for the building of the road from Fayetteville to the South Carolina line.

Mr. Linney said he hoped the Senator

from Robeson would withdraw his amendment, as the effect of it would be to dig up the whole project.

Mr. Payne said the bill introduced by the Senator from Forsyth was not a gift, but it was a contract with the State. Nothing can be found in it that will amount to a gift. The consideration is a valuable one. It is the development and building up of the fairest section of the State. He desired to say to the amendments that in the main he approved of them, and if it was so arranged that the forty-five miles of road from Fayetteville to the South Carolina line (now graded) could be equipped and completed, then he would be heartily in favor of them. No man can sit here and have an abiding interest in our legislation unless he has also an abiding interest in the building up of our waste places. He approved of the feature that would surrender the deposit of seventy thousand dollars to the company when the road was finished to Patterson. He repeated that this bill was not a gift, but a *quid pro quo*. He was thoroughly satisfied that if these amendments were adopted no longer would the cry come to us that these counties had done nothing for the road, but they would give largely to its building and equipment. The demands of the west were just and reasonable. He recalled the names of Heath, the great jurist, and of Gordon, the soldier and patriot. North Carolina is called upon to honor, aid and improve the land of their nativity. Beneath the sod of western North Carolina, as in sacred crypts, repose the ashes of men, whose virtue and patriotic deeds of valor make us feel proud that we, too, are men, notwithstanding the corruptions that degrade our race. Rich in mineral wealth and in resources, lofty in patriotism and true nobility of soul, ready at all times to respond to the calls of the State, North Carolina in honoring this section of western North Carolina, and in aiding in developing her interests, will be just, and do honor and credit to her own great name.

Mr. Morehead offered a substitute for Mr. McLean's amendment to the amendment of the committee.

Mr. McLean withdrew his amendment.

Mr. Morehead's substitute was adopted. It was: Insert after the Yadkin Valley Branch the words, "And the line from Fayetteville to the South Carolina line by way of Shoe Heel."

Another amendment, giving to June, 1884, to work south of Walnut Cove, was adopted.

Mr. Morehead offered an amendment after Mt. Airy and Patterson, in the last clause, to add the words: "If the board of directors of the penitentiary furnishes the convicts now provided by law to the said railway."

Mr. Linney said this amendment would

cut the throat of all the guarantees and render them not worth the paper they were written on.

Mr. Morehead replied if Mr. Linney could that he would not insist on the amendment.

Mr. Linney spoke at some length against the amendment. It looked to him that it put it in the power of the assignees to destroy every one of these guarantees whenever they had one convict less than the law gives them. He was alarmed at that amendment.

Mr. Morehead explained his amendment. He said it did not begin a new sentence; it commenced with a little "i."

Mr. Linney—May I not ask the Senator from Guilford if the biggest "if" in the world doesn't commence with a little "i?"

Mr. Morehead said the Senator might laugh, but he understood his position on this bill very well, (and had the floor on his amendment when the chair announced that the hour for the second special order had arrived, which, on motion, was postponed till Wednesday.)

Mr. Morehead then stated that he had modified the amendment so as to read, "If the board of directors of the penitentiary continue to furnish convicts as heretofore to the said railway;" and hoped the Senator from Alexander was now satisfied.

Mr. Clark spoke against the amendment; he thought it extremely dangerous, even in its modified form, and he hoped it would not be adopted.

[The Clerk read the amendment as modified.]

Mr. Linney said, don't Senators see if they should fail by one convict, that it destroys the guarantee. Now the Senator puts the condition in a form that appears to be a little milder, but that is equally as dangerous as it was.

Mr. Morehead said if any Senator on the floor could find any grounds for the objections of the Senator from Alexander, he hoped he would vote against it. The amendment was put to the vote. Mr. Dotson asked for the ayes and nays. Ordered. Ayes, 12; nays, 20; so the amendment failed to pass.

The bill was postponed until Monday, so that Mr. Poole, who is absent, may be here, as he desires to offer a substitute.

Mr. Payne, bill relative to the method of allotting dower.

Mr. Clark's resolution concerning the Western road, was adopted, enquiring how much it has cost the State.

Mr. Goodwyn asked for a suspension of the rules, and the bill changing the term of the Superior Court in Halifax from two weeks to three weeks, was put on its readings. The bill takes effect the 1st day of July, 1883. Passed its third reading.

Mr. Purnell asked for a suspension of the rules, and the bill to incorporate the Citi-

zens Trust Company was placed on its readings. This company is at Raleigh. The capital stock is \$50,000. It has power to lease warehouses and carry on the business of warehousemen, also the power to construct warehouses; the officers to consist of a president and five directors.

Mr. Battle said he was requested to state that the name of one of the incorporators instead of Crawford Cooper was James C. Cooper. The correction was made.

Mr. Purnell explained that this company was meant as a loaning bank to bring capital here and give farmers who own real estate a corporation from which they could borrow money.

Mr. Alexander and Mr. Jones objected to the real estate provision in it for loaning money.

Mr. Battle thought that provision the main feature of the bill.

The bill passed its third reading.

Bill authorizing the commissioners of Currituck to levy a special tax passed its second reading—yeas 25, nays none.

The chair at 1 p. m. announced that the hour for the second special order had arrived, but on motion of Mr. Scott, of Rockingham, the bill for the relief of tobacco raisers in Rockingham county by changing the times of holding the Superior Court, was called up and passed its third reading.

Mr. Boykin got leave of absence for the Senators from Chatham, Duplin, Cleveland and Rockingham till after Monday.

Mr. Battle leave for the Yancey and Wilson Senators till Tuesday. Mr. Linney leave for the Assistant Doorkeeper till Tuesday.

Mr. Loftin moved that leave be granted the Senate from and after to-morrow.

Mr. Richardson, bill to divide North Carolina into nine Congressional districts.

On motion of Mr. Battle the special order was again taken up, being the bill to regulate fishing in Pamlico and Tar rivers. This bill rid's the waters of the "dutch nets," so the fish could come up the waters. As Mr. Battle remarked, so they could get a cat fish now and then. A Dutch net is one with a flue to it and arms branching out in the water. Mr. King, of Pitt, called them great fish destroyers. Mr. Battle and Mr. King pressed the bill.

Mr. Clark offered an amendment that the law should not take effect till after the fishing season of 1882.

Mr. Cabo said that while he was opposed to the bill he would not antagonize it, but he thought Mr. Clark's amendment should be adopted.

Mr. Gray supported the bill and opposed the amendment.

Mr. Cabo sent a petition of 150 citizens of Little Washington opposing the bill. He spoke in favor of the amendment.

Mr. Battle held up his petitions to the

Senate and said they were as long as any the Senator from Pamlico could show, and they were anxious for the bill. He called the previous question. Ordered.

Mr. Clarke's amendment was put to the vote; lost. The bill passed its second reading.

Mr. Gray offered an amendment, "applying to all the tributaries;" it was adopted. The bill passed its third reading.

Special order, on giving the State's interest in the Albemarle and Chesapeake canal to the Newbern and Beaufort Canal Company, came up.

Mr. Strayhorn offered an amendment, giving the State authorities the right to control toll.

On motion of Mr. Womack the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Mr. Speaker Rose called the House to order at 10 o'clock.

Prayer by the Rev. Mr. Landreth of the House.

The reading of the journal was dispensed with and it stood approved.

PETITIONS

Were introduced as follows:

Mr. Covington, from Richmond county, asking a repeal of the liquor purchase tax.

Mr. Tate, from Morganton, asking a repeal of the prohibition law for that town.

Mr. Bailey, of Mecklenburg, from Charlotte, asking a repeal of the purchase tax on liquors.

Mr. Thompson, relative to the appointment of justices.

Mr. Riggs, by request, memorial of Wilton L. Young, claiming to have discovered a cheap method of constructing a safe harbor north of Cape Hatteras.

Mr. Worthington, relative to the appointment of justices.

Mr. Brown, from Johnston county, asking the privilege to sell liquor at Wilson's Mills.

Mr. Temple, asking a repeal of chapter 1, private laws of 1881.

Mr. Lineback, asking that the sale of liquors be prohibited in a certain locality in Mitchell county. Asking for money to aid in building a road in said county.

Mr. Johnson, of Johnston, asking the repeal of a prohibitory law.

Mr. Wood, by request, asking that the sale of liquors be prohibited in certain localities in Pitt county.

REPORTS OF COMMITTEES.

Sundry committees reported variously upon the following bills:

Resolution in favor of L. L. Howard, of Macon county. To provide for establishing a public road in Onslow county. To amend and reenact chapter 158, laws of 1881. To amend chapter 83, laws of 1879. To establish a graded school in Lumberton.

In relation to the graded schools in Wilson township, in Wilson county. To incorporate Oxford Ford Toll Bridge. To incorporate the Seaboard Manufacturing Company. To incorporate the town of Stanton. To amend the act incorporating "the Fayetteville Gas Light Company." To incorporate the town of Glen Alpine. To incorporate the town of Rich Square. To charter the Thomasville and Silver Valley Railroad Company. To designate a place for comparing the vote for the twenty-second senatorial district.

RESOLUTIONS.

Mr. Tate, in favor of Alfred Williams & Co. Finance.

Mr. Page, resolution to adjourn *sine die* at 12 m. on July 4th, A. D. 1883. Calendar.

BILLS

were introduced, passed their first reading and were referred or disposed of as follows:

Mr. Bunn, to divide North Carolina into nine Congressional districts. Ordered to be printed.

Mr. Page, to allow the board of commissioners of Jones county to change the place of holding their meeting. Calendar.

Mr. Overman, relating to certain contracts to lease or conditionally sell railroad stocks, &c. Judiciary.

Mr. Sherrill, for the relief of J. S. Bridgers and others. Judiciary.

Mr. Bunn, to declare the mother of children in certain cases their natural guardian. Judiciary.

Mr. Bailey, of Mecklenburg, to amend chapter 119, of Battle's Revisal, concerning wills. Judiciary.

Mr. Peebles, to provide a seal for the Department of State. Judiciary.

Mr. Williamson, to amend chapter 111, of Battle's Revisal. Judiciary.

Mr. Williams, of Granville, to incorporate the town of Sassafra Fork. Corporations.

Mr. Sherrill, to incorporate the town of Conover. Corporations.

Mr. Smith, concerning the duties of Mayor and Board of Aldermen of the city of Goldsboro. Corporations.

Mr. Bunn, to incorporate the town of Sharpsburg. Corporations.

Mr. Peebles, to change the charter of the town of Edenton. Corporations.

Mr. Wilcox, to amend chapter 234, laws of 1881. Propositions and grievances.

Mr. Green, of Franklin, relative to the debt of said county. Propositions and grievances.

Mr. Temple, to repeal chapter 1, private laws of 1881. Propositions and grievances.

Mr. Stewart, to amend chapter 200, laws of 1881. Propositions and grievances.

Mr. Lineback, relative to the sale of liquor in Mitchell county. Propositions and grievances.

Mr. Bunn, to repeal the prohibition law in certain locality in Nash county.

Mr. Williams, of Granville, to authorize Vance county to levy a special tax. Finance.

Mr. Myers, for the relief of certain soldiers of the late civil war. Finance.

Mr. Hayes, of Swain, to authorize the county of Swain to levy a special tax. Finance.

Mr. Myers, for the relief of the blind. Finance.

Mr. —, to authorize the county, of Person to subscribe to the capital stock of the Roxboro railroad company. Internal improvement.

Mr. Green, of Franklin, to amend the charter of the Oxford and Henderson railroad company. Internal Improvement.

Mr. Ball, to abolish the office of county superintendent in the county of Madison. Education.

Mr. Speller, to repeal chapter 62, laws of 1881. Calendar.

THE CALENDAR

was taken up and the following bills were disposed of follows:

To incorporate the town of Mebane, in Alamance county. Second reading.

Resolution in favor of L. Howard, of Macon county, was, on motion of Mr. Ray, taken up and passed.

To allow the county commissioners of Jones county to meet in Pollocksville until the small-pox abates in Trenton. Third reading.

To amend chapter 318, laws of 1879. Third reading.

To establish graded schools in Wilson township.

Mr. Bledsoe moved to lay this bill on the table.

The House refused to table and the bill then passed its third reading.

To authorize the treasurer for the county of Green to pay Susan A. Lane. Third reading.

To repeal certain provisions of chapters 191 and 216, laws of 1881.

Mr. Green, of New Hanover, moved to make this bill the special order for next Thursday, and that it be printed.

Mr. Stanford said that the bill merely gave the city of Wilmington the power to regulate the conduct of its own market; that the very people of that city were in favor of it.

Messrs. Hayes of Robeson, Harris of Wake, Waddell and Powers, of Cumberland, spoke in opposition to the bill.

Mr. Stanford said that the people of Wilmington who had petitioned that this bill pass were large tax-payers, and were men of whom any city might be proud. In answer to a question by Mr. Waddell, he said that he knew that the gentleman (Mr. Waddell) came from that section, but he also

remembered that when the city of Wilmington was about to go down in financial ruin, it was the men who asked for this bill that came to her rescue and saved her. That while there were some internal dissensions on this subject in the city of Wilmington two years ago, that now he knew of none, that the bill had been before the Senate and House and had passed the Senate and not a single petition against it had been offered. He hoped the bill would pass now.

Mr. Page was opposed to the bill.

Mr. Bailey, of Mecklenburg, thought the bill ought not to pass without being thoroughly investigated; that it affected the farming interest of the country, and we ought to be cautious how we passed such bills.

Mr. Williamson said: "It seems as if this question has not been explained to the satisfaction of this House, if I understand the question. In 1881 the market house in the city of Wilmington (now in question) belonged to a private corporation, and the city authorities and the inhabitants did not think it right to be forced to go to a market house owned by other corporation than the city. But now I understand the city owns the market house, and as it would be more convenient to parties marketing to get all they might want at one place, and if the bill is amended so as allow all country carts free of charge I will favor the bill."

Mr. Thompson thought the people were satisfied with the present law; that there were no petitions from the people in favor of repealing the present law, but only from a corporation; that he was opposed to the bill because it forced farmers to sell their produce during certain houses, and because the people did not want it. He moved to lay the bill on the table, which was carried. He then moved to reconsider and lay that motion on the table, which prevailed.

Mr. Ray moved that the day for the commencement of night sessions be Tuesday next, instead of Monday, which was carried.

Messages were received from the Senate informing the House that the Senate had passed the following bills, &c., which were disposed of as follows:

Resolution to pay the clerks on the Code committee, passed third reading.

Senate amendment to the bill for the better protection of crops in certain localities. Concurred in.

Senate substitute for an act to amend chapter 83, Battle's Revisal. Concurred in.

To provide for the erection of a residence for the Governor. Calendar.

To authorize the town of Statesville to rebond its bonded debt. Corporations.

Senate amendment to the act to amend the salary and fee bill. Concurred in.

To amend chapter 32, Battle's Revisal. Judiciary.

To amend chapter 135, laws of 1179. Agriculture.

For the registration of certain deeds. Judiciary.

Senate amendment to the act to incorporate the Charlotte Cotton Mills. Concurred in.

To amend chapter 119, Battle's Revisal. Judiciary.

To amend the charter of the town of Charlotte. Judiciary.

For the better protection of landlords. Judiciary.

To incorporate the Shelby Baptist Female College. Corporations.

To amend chapter 64, Battle's Revisal. Judiciary.

That the Senate had refused to recede from its amendment to the bill to grant amnesty and pardon to persons selling liquor without license.

Mr. Bailey, of Wecklenburg, moved to appoint a committee of conference, which was adopted.

CALENDAR (resumed.)

Kill for the benefit of mechanics and laborers.

Mr. Forbis was in favor of passing the bill and letting the Supreme Court pass upon the constitutionality of it. He thought it was our duty to give relief to the farmers whenever we could. He hoped the bill would pass.

Mr. Overman was opposed to the bill upon the ground that it was unconstitutional.

Mr. Bunn was opposed to it because he thought it was unconstitutional, and that it would work harm to the very class of men it proposed to help, in that it would cause them to rely on a law that was unconstitutional. He thought that if it should be decided to be constitutional, then he warned the House that it would be but the entering wedge to destroy the homestead exemption, for soon first one class and another would demand that the rights which were granted to one class of our citizens should be given to them.

Mr. McCloud was opposed to the bill because he thought it was unconstitutional, and that if it was passed and held to be constitutional by the courts, it would destroy the homestead and all exemptions.

Mr. Holton was in favor of allowing the laborer to enforce his lien by execution. It would be beneficial to both the laborer and the man who had the work done; that it would enable the foreman to get his money, and the latter to extend his credit. He was in favor of this bill.

Mr. Sherrill moved to amend by inserting physicians; said that the physicians had been writing to him for relief, and he could see none for them, unless they took a lien on the patient—and he wanted it to be a male patient at that. He thought they might come in on this bill.

Mr. Harris, of Wake, moved to postpone, and make it the special order for next Wednesday night.

Mr. Forbis was opposed to postponing.

Mr. Sherrill, said: "I did not expect to say anything on this bill, and at first thought I would favor it, but see it is too broad in its sweep. The gentleman from Guilford alludes to farmers; as far as that is concerned, if I have any profession, it is that of a farmer, having served at it until I lost my leg. I see no protection in this bill to the farmer, only a class who have the lien law now, and, I am willing they should have the time extended to two years, so that they may be well protected, but this law allows the constable, as has been well said, to sell even the ware from the poor man's table, while the rich man asks such a law no odds. If it give protection to the farmer I would favor it; moreover it is unconstitutional."

Mr. Barrett, moved to amend so as the bill should only apply to Guilford county.

Mr. Bower was opposed to the bill on account of its being unconstitutional, and tending to divest the homestead exemptions. He moved to levy on the table, which was carried.

To repeal chapter 62, laws of 1881.

Pending the consideration of this bill, the House adjourned.

SENATE.

THIRTY-FIFTH DAY.

SATURDAY, February, 10th, 1883.

The Senate was called to order at 10 o'clock.

Prayer by the Rev. Dr. Marshall.

The journal of yesterday was read and approved.

Mr. Morehead, memorial and petition from the North Carolina nurserymen's Association, relative to the railroad commission, and the unjust discrimination in freights and asked its readings. It was read.

Mr. Jones, petition from certain citizens of Henderson county, praying prohibition in one mile of school house No. 2.

Bill to prohibit the sale of liquor in one mile of school house, No. 2, in Henderson county.

Mr. Payne, bill to establish a graded school in the town of Monroe.

Bill to facilitate construction of the Newbern and Beaufort canal company, came up as the unfinished business of yesterday, and the Chair stated that the amendment of the Senator from Orange was the pending question.

Mr. Caho asked the Senator from Orange to withdraw that amendment. He said the matter of toll was provided for in the charter of the company. To amend the bill now would delay it by sending it back to the House, and that was their only objection to the amendment.

Mr. Strayhorn said since further investigation, he had found that the charter of this company was granted in 1872, and under the provisions of the constitution, was subjected to the action of the Legislature, as to rates of toll; that he had offered the amendment as a precautionary measure, but being satisfied that it would only delay action and its purpose was already provided for; he would withdraw it. Bill passed its third reading.

Mr. Battle asked a suspension of the rules, and the bill for relief of the sheriff and treasurer of Warren county, was placed on its readings. Mr. Battle explained the bill. It passed its third reading.

The Chair announced the Senator from Harnett, and the Senator from Stanly, as the Senate branch of conference on the resolution of amnesty to certain liquor dealers.

Bill for the protection of farmers, by the appointment of tobacco weighers. Mr. Cozart's bill.

Mr. Strayhorn asked for a postponement of the bill until next Wednesday.

Mr. Jones offered an amendment to prevent a ring being formed by the weighers and the warehousemen.

Mr. Cozart accepted the amendment.

Mr. Jones said he had many letters from the tobacco section that rings and combinations were being formed against them in the weighing of tobacco; there should be protection for them in weighing as much so as for the cotton planters, and he could see no necessity for postponing unless there was serious cause, and he asked the Senator from Orange if there was such cause.

Mr. Strayhorn replied he was not opposed to the bill, but the Durham tobaccoists preferred a general inspection of tobacco for each town, and he would prefer a better bill if he could get it.

Mr. Pemberton said the Senator from Forsyth was sick at home. He felt an interest in this bill, and he would like to see it postponed till his return.

Mr. Jones insisted on passing the bill.

The bill was postponed to next Wednesday.

Bill to incorporate the Hoffman and Troy Railroad Company. Mr. Graham's bill. Passed third reading.

Bill to create a sinking fund for the county of New Hanover. Mr. Scott explained the bill, and offered an amendment increasing the number of commissioners to five and bonding them double the amount turned over to them. The bill passed its second reading.

Bill to incorporate the North Carolina Fish Oil and Guano Company, passed its third reading.

Bill concerning a plan of Wilmington, passed its third reading.

Bill to change the time of holding the courts in the 9th judicial district. Mr. Jones explained the bill. It enabled the Judge to get back to the west before the cold weather. The bill passed its third reading.

Bill to repeal certain local prohibition laws in the county of Perquimans, passed its third reading.

Bill to define and punish lobbying, by Mr. Pemberton. Lobbying is defined to be any personal solicitation of a member of the General Assembly of this State during a session thereof, by private interview, or by letter or message, or other means and appliances not addressed solely to the judgment, to favor or oppose, or to vote for or against any bill, resolution, report or claim pending or to be introduced in either branch thereof, by any person who misrepresents the nature of his interest in the matter to such member, or who is employed for a consideration by a person or corporation interested in the passage or defeat of such bill, resolution, report or claim, for the purpose of procuring the passage or defeat thereof. But this does not include such services as drafting petitions, bills or resolutions, attending to the taking of testimony, collecting facts, preparing arguments and memorials and submitting them orally or in writing to a committee or member of the General Assembly, and other service of a like character intended to reach the reason of the legislators.

It provides for punishment in the penitentiary not less than one, nor more than five years.

Mr. Loftin moved the bill be recommitted.

Mr. Pemberton hoped it would not be done; we were fixing a new code now, and the idea if at any time hereafter a man proposes to put a law through and makes a false statement to any member of the Legislature about it, then it makes him a lobbyist and punishes him; it is the exact copy of a Georgia statute.

Mr. Black thought the bill should be postponed rather than recommitted; he saw no necessity for such a law, and it seemed rather a reflection to put it on the statute book. He moved it as a special order to next Thursday.

Mr. Jones thought it a good law; it would be a relief to the Legislature if nothing else to keep these lobbyists away. He hoped it would pass.

Mr. Black's motion to make it special order was voted down.

Mr. Loftin said gentlemen frequently came here to give their views on subjects they desired legislated on, and it would embarrass all such; of course if there was an attempt at bribery of any Senator his very manhood would resent it, and so he con-

sidered it an iniquitous bill and hoped it would go back to the judiciary committee.

Mr. Pemberton replied that the bill did not strike at bribery, but to prevent false representation of members.

Mr. Black said if it was merely false representation to members the bill was after, he was in favor of it; but he did not so understand it, and he hoped it would be re-committed.

Mr. Alexander said the nature of the bill was merely to prevent false statements from lobbyists to members and to put it on the same grounds exactly as getting goods under false pretences; he had known lobbyists himself to conceal the facts in representing their matters for legislation. He hoped the bill would pass.

Mr. Mebane said if the bill was such as the Senator from Mecklenburg said, he would vote for it; he asked the reading of the bill.

Mr. Linney said from the reading of the bill he was satisfied it could not convict a man even was he guilty; it had a gap through which a thousand oxen could pass; there was an infirmity in it that ought to be cured, and it should be re-committed.

Mr. Pemberton said the Senator from Alexander had drawn a very fine sight on the bill for shooting wide of the mark, notwithstanding it was a very fine bead.

Mr. Linney asked if any man could be convicted under the bill who did not misrepresent his own interest?

Mr. Pemberton said yes, he could; that the bill was the exact copy of a Georgia statute that had been in force for years.

Mr. Loftin asked the ayes and noes on his motion to recommit. Ordered. The Senate refused to recommit—yeas 10, noes 18.

Mr. McLean offered an amendment to the effect that the party making the misrepresentation did so knowingly and wilfully, etc.

Mr. Strayhorn said under that amendment a man couldn't well be convicted in the courts, for how is a man's guilty knowledge to be proved?

The vote was had on the amendment.

Not a quorum voting. The amendment failed.

Mr. Carter amended that it should apply to the lobbying at the hotels. Lost.

Mr. McLean called for the ayes and noes on the passage of the bill. Ordered. Ayes 26, noes 5, so the bill passed third reading.

Bill to create sinking fund for the county of New Hanover, with amendment increasing the number of commissioners to five and bounding them in double the amount transferred to them, passed its third reading.

Mr. Mebane, bill to repeal chapter 62, laws 1881.

Bill to change the time of the Superior

Courts for Gaston, Rutherford, Cleveland and Polk counties, passed its third reading.

Bill to amend laws 1881, chapter 138, section 10, passed its third reading.

Mr. Caho, bill to amend chapter 165, laws 1879-77.

Bill to establish a Normal school in Monroe, in Union county, passed its third reading.

Bill to incorporate St. James Parish, in Wilmington, passed its third reading.

Bill to provide for local assessments in aid of public schools, passed third reading.

Bill to incorporate St. John's Mechanical and Agricultural Association, of Cabarrus county, passed third reading.

Bill to amend chapter 78, acts of 1881, passed third reading.

Bill for Halifax county to fund its debt and levy a special tax, passed second reading, ayes 26, noes none.

Bill to amend the law relating to the Salisbury graded school, passed third reading.

Bill to incorporate the trustees of Mess' Chapel, in Lincoln county, passed third reading.

Bill to prevent the felling of timber in Ararat River, in Surry county, passed third reading.

Bill to empower Dare county to levy a special tax, passed second reading, ayes 26, noes none.

Bill to regulate the killing of wild fowl in Currituck county passed third reading.

Mr. Mebane asked a suspension of the rules, and the bill to repeal chapter 62, laws of 1881, relating to killing cattle in Bertie county, passed its third reading.

The Senate then adjourned.

NOTE.—Bill to repeal the purchase tax upon liquor. The committee having reported this bill unfavorably, Mr. Alexander explained that this whole matter was now before the finance committee, and would be reported in the general bill.

Mr. Strayhorn said that it was a matter of great importance, and he was in favor of a modification of the law as it now stands. That upon the representation of the Senator from Mecklenburg, the matter would be brought forward in the general act; he would ask that the bill be postponed indefinitely, which motion prevailed.

HOUSE OF REPRESENTATIVES.

SATURDAY, February 10, 1883.

House called to order at 10 o'clock by Mr. Speaker Rose.

The reading of the journal was dispensed with and it stood approved.

PETITIONS

were introduced as follows:

Mr. Standford, from citizens of Pender county, praying that the constitution be so amended as to allow the tax paid by the whites for educational purposes to go to the education of the whites, and that paid

by the blacks to the education of the blacks.

Mr. McAllister, asking that Cabarrus county be allowed to levy a special tax.

Mr. Stringfield, petition against the amendment of the act for the sale of the W. N. C. R. R. Co.

Mr. Overman, from liquor dealers of Salisbury, asking relief.

Mr. Newell, from Bladen county, asking the repeal of liquor laws.

Mr. Turner, from Moore county, concerning tax.

Mr. Stewart, asking a repeal of the purchase tax. ¹

Mr. Rose, asking a repeal of the purchase tax on liquor dealers. Asking for an appropriation for the State Guard.

Mr. Patrick, from Columbia, in Tyrrell county, asking the repeal of the local prohibition law as far as it relates to Columbia.

REPORTS OF COMMITTEES.

Sundry committees reported variously upon the following bills: For the protection of landlords. To amend chapter 175, laws 1876 and 7. To incorporate the Grand Council of the American Legion of Honor of N. C. To incorporate Elmwood Cemetery Association of Enfield. To amend chapter 242, laws 1881, for the encouragement and support of the State Guard. To amend chapter 58, of the Revised Code. To amend chapter 111, Battle's Revisal. To make it a misdemeanor for contractors not to pay their employees. For the relief of John H. Cox, late sheriff of Perquimans county. Relative to the sale of liquor at Long Branch Church in Robeson county. To form a new county called Richland. To establish a Free Bridge across the Cape Fear River in Cumberland county. To amend chapter 263, laws 1881. To provide an official seal for the Department of State. To declare the mother of children in certain cases their natural guardian. To amend the law concerning the probate of wills. Substitute for an act to allow Swain county to levy a special tax. To amend the act for the relief of the blind. An act supplemental to an act to incorporate Newton cotton mills. To authorize Vance county to levy a special tax.

BILLS

were introduced, passed their first reading and were referred and disposed of as follows:

Mr. Riggs, to amend chapter 83, of Battle's Revisal. Fish interest.

Mr. McAllister, to supplement the common school fund. Education.

Mr. Overman, to incorporate the Immigrant Land and Mineral Company, of N. C. Corporations.

Mr. Hayes of Swain, relating to the marriage of Indians. Judiciary.

Mr. Landreth, to restore to the people the right of local self government. Judiciary.

Mr. Hayes, of Swain, relating to the sale

of liquor in Swain county. Propositions and Grievances.

Mr. Patrick to amend chapter 4, laws 1880. Proposition and Grievances.

Mr. McAllister, to authorize Cabarrus county to levy a special tax. Finance.

Mr. Peebles, to authorize Warren county to levy a special tax. Finance.

Mr. McCurry, to authorize McDowell to settle its debt. Finance.

Mr. Worthington. To authorize counties, cities, towns and townships to subscribe to the stock of the Albemarle and Raleigh R. R. Co. Internal improvements and ordered to be printed.

Mr. Standford, to repeal chapter 191, laws 1881 and chapter 216, laws 1881. Corporations.

Mr. Barrett, to incorporate the town of Bell's Ferry. Corporations.

Mr. Green, of Franklin, to incorporate the Central Institute for young ladies. Corporations.

Mr. Peebles, to incorporate the Albemarle and Roanoke Railroad Company. Corporations.

Mr. Stringfield, to build a turnpike road in the counties of Haywood, Jackson, Madison and Transylvania. Railroads, post roads and turnpikes.

THE CALENDAR

was then taken up and the following bills were disposed of as follows:

Resolution to appoint additional members on the committee on privileges and elections. Passed.

Mr. Robins read a postal for the information of the House as to the continued absence of Mr. Liles, from his physician, stating that he was unable to return to Raleigh at present on account of sickness.

Mr. Stanford moved that the calendar be placed at the disposal of the Speaker for the day, which was done.

To repeal chapter 62, laws of 1881, relating to the stock law in Bertie county.

Mr. Worthington said that he hoped this bill would be voted down; that he introduced the bill two years ago which this bill proposed to repeal; that there was an urgent need for it at that time, and from his knowledge of Bertie county at that time and since, he knew it to be needed there now for the protection of the owners of stock.

That if the gentleman from Bertie would amend the law so as to make it apply to the county of Martin, or to the State generally he would vote for it.

Mr. Speller said that all he asked for was justice; that he did not want it to go forth to the world that the people of Bertie county were more roguish than the people of any other county. That in 1882 Martin county sent 7 convicts to the penitentiary, or one for every 1,448 of its inhabitants, and

Bertie sent 8, one for every 2,000 of inhabitants. Mr. Ray asked him if the convicts sent from Martin county were cattle thieves? Mr. Speller said that did not make any difference; that stealing was stealing and that no one would pass a law to punish the stealing of cattle alone. He did not desire to increase the facilities for stealing in Bertie.

Mr. Worthington said that he did not impugn the character of the good people of Bertie county for he had been among them all his life and he knew them to be the purest people of any county in the State, but he knew this law to be necessary for the protection of the owners of stock in that county and he hoped the bill would not pass.

Mr. Harris, of Wake, thought that the penalty of \$10 was sufficient for their protection, and the gentleman from Bertie only asked that the law be repealed so that his county be not advertised to the world as a county of thieves.

Mr. Peebles said that he knew from his practice of law in Bertie county that a \$10 penalty could not be collected out of one in ten of the voters who sent the gentleman from Bertie here and that the suggestion of the gentleman of Wake would afford no remedy to the owners of stock.

Mr. Barrett thought the owners of stock would have sent petitions if they had wanted this law repealed. He moved to table, which was carried.

To establish graded schools in Rocky Mount. Passed third reading.

To amend the charter of the town of Salisbury. Passed third reading.

To incorporate the town of Mebane in Alamance county. Passed third reading.

MESSAGES

were received from the Senate informing the House that the Senate had passed the following bills:

Senate amendment to an act to change the name of Edenton Railroad. Concurred in.

For the relief of the Farmers of Rockingham county.

To amend charter of the Watauga Narrow Gauge Railroad.

Senate amendment to the act to amend the law regulating fishing in Pamlico and Tar Rivers. Concurred in.

To incorporate the N. C. Fish Oil and Guano Company. Corporations.

That the Senate had appointed as a committee of conference, Messrs. Pemberton and Morrison.

CALENDAR (resumed.)

To establish a graded School in Wilson county.

Mr. Phillips said that he had been requested several days ago by republicans to help along several bills of this nature. That the other day it was charged by a republi-

can on this floor, that there was a cat in the meal tub that the republicans had put it there.

Mr. Bledsoe said that there were constitutional objections to this bill and charged upon the democratic party that in every bill of this nature where the republicans were in a majority it was submitted to the whites as to whether they should be taxed to educate the whites, and to the blacks to educate the blacks, but in the counties where democratic party were in the majority it was submitted to the whole people. He charged that the democratic party intended to make it an issue in the next campaign.

Mr. Peebles said that for 15 years the white people of this State had given to the blacks 95 per cent. of the money derived from taxing themselves for educational purposes. But was it any wonder that when they saw as a fruit of that education the blacks sending the gentleman from Wake here to represent them, that the whites should be tired of contributing to them for that purpose when they saw such a result.

Mr. Bledsoe in reply said that he was elected by the largest vote of any man in ten years, and that he represented the majority of his people and not the minority.

Mr. Holt said the gentleman from Wake, (Mr. Bledsoe) was a great champion of schools, and asked him what became of the six hundred thousand dollars of that fund the republicans had squandered. That if what he said about the democratic party making this a plank in their platform in '84 was true that the democratic party must be the most corrupt party on earth, for it would be contrary to the constitution of N. C., and the U. S. He paid his taxes cheerfully for the education of both the white and blacks. He thought it ill because the gentleman with the record of his party in squandering the school fund to charge that the Democratic party was a mass of perjurers.

Mr. Powers, of Cumberland, thought it was not a party question; that no man in this house stood by party more than he did; that he had heard constitutional questions raised until he was sick of them; for they were raised by those who knew no more of them than he did. He should vote for the bill.

Mr. Bunn said that while the gentleman from Wake (Mr. Bledsoe) might represent his people by the largest majority that any man ever had in ten years, he was glad that he did not represent this House, and that he represented the smallest minority in his own party that any man ever had; that the vote showed this, for there were but five votes against any of the bills; that the gentleman from Wake either intended to deceive the House or knew nothing of what he was talking about; that he was willing

to submit this question to his people if the gentleman from Wake was not; that the gentleman spoke of the constitution—a thing he knew as much about as the eagle that flew over the Rocky Mountains.

Mr. Peebles said that the gentleman had used the term minority in reference to him and he was glad he had, that it ill-became him to say whether he had received a majority of legal votes or not, but he was sorry that the gentleman so far forgot himself as to allude to a matter in which he would have to sit as a juror; that such conduct in a court of justice would exclude him from serving in any such capacity.

Mr. Bailey, of Wilson, called for the previous question, and the call was sustained upon a vote being had. The bill then passed its third reading.

To establish graded schools in Tarboro township, Edgecombe county. Passed its third reading.

To amend chapter 234, laws 1881, relating to the sale of liquor near Littleton depot, N. C. Passed its third reading.

To amend the charter of the Watauga Narrow Gauge Railroad. Referred.

Senate amendment to the act to prohibit fishing in Yadkin river. Concurred in.

Senate substitute to an act to prevent the erection of artificial islands in the navigable waters of the State. Concurred in.

Senate amendment to the act to establish the dividing line between the counties of Harett and Johnston. Not concurred in.

To designate a place for comparing the vote Senator in the 22d district. Third reading.

To prevent the removal of a joint fence. Third reading.

To incorporate the Weldon and Garrysburg Toll Bridge and Ferry Company. Third reading.

For the relief of W. Flow and others. Third reading.

To charter the Thomasville and Silver Valley Railroad Company. Third reading.

To incorporate the Southern Mining, Smelting and Manufacturing Company.

Mr. Hayes, of Robeson, wanted to know what privileges this bill conferred; that if he ever saw an omnibus bill this was one; that it gave them all the rights ever heard of or thought of, and he asked to have it explained; that every privilege that could be conferred by the State was conferred by this bill.

Mr. Bailey, of Mecklenburg, said that it asked for nothing more than usual, and then explained the bill.

The bill then passed its second reading and was informally passed over.

To amend the act incorporating the Fayetteville Gas Light Company. Informally passed over until Tuesday next.

To incorporate the town of Wilson's Fac-

tory, in Gaston county. Passed second reading.

To amend the charter of the town of Asheville. Passed third reading.

To amend the landlord and tenant act. Passed third reading.

To incorporate the Centurion Benevolent Society. Passed third reading.

For the protection of fish in Neuse and Trent Rivers. Passed third reading.

To protect sheep in Madison and Swain counties. Pending the consideration of this bill the House adjourned.

SENATE.

THIRTY-FIFTH DAY.

MONDAY, February 8.

Senate called to order at 10 o'clock.

Journal read.

Mr. Ebbs, petition from citizens of Madison, asking to be allowed to levy a special tax.

Mr. Pinnix, petition from citizens of Davidson, praying the repeal of the license tax.

Mr. Caho, petition from Lightwood Creek Canal Company, of Hyde county, asking an extension of their charter; also a petition from citizens of Stonewall, asking for an amendment of their town charter.

Mr. Morehead desired to announce that Mr. Watson, of Forsyth, was not in his seat this morning, on account of protracted illness.

Mr. Linney, bill to provide for the speedy trial of causes in the superior courts; also a bill to facilitate the prosecution of accessories before and after the act to felony.

Mr. Ebbs, bill to levy a special in the county of Madison.

Mr. Morehead, bill to incorporate the Palmer Island Club.

Mr. Whitford, bill to prevent the running at large of live stock in certain parts of Craven county.

Mr. Jones, resolution in relation to the Western North Carolina Railroad Company.

Mr. Ebbs, bill to authorize commissioners of Madison county to open a public road and asking convict labor.

Mr. Caho, bill to charter Lightwood Creek Canal Company, in Hyde county, bill to amend charter of town of Stonewall.

Mr. Pemberton, resolution to facilitate the dispatch of business in the Senate; also a bill to prohibit the sale of liquor in one mile of Big Lick Academy, in Stanly county.

Mr. Pemberton asked to reconsider the vote by which the bill to provide for local assessments for the public schools passed its third reading, on Saturday, and then its second reading; it was so done and the bill placed on the calendar.

Mr. Jones, with consent, called up his resolution in relation to the Western North Carolina Railroad Company.

Mr. King, of Cherokee, offered an amendment, which was adopted.

Mr. Alexander said he simply rose to ask why this information could not be had from the Governor as the chairman of the commission, as in that way it could be gotten without expense to the State.

Mr. Jones said because there were matters inquired of by that resolution that were not in the knowledge of that commission.

Mr. Alexander replied that they ought first to call on the Governor for that information, as the commission had been appointed to that end. He submitted it was not treating them with the proper courtesy and respect now to go outside of them to inquire into the transactions of the road.

Mr. King, of Cherokee, insisted on the resolution. He thought it but a matter of justice to the people to know whether the money from the mortgage bonds of that road had been expended for the road or for foreign corporations before they were called upon to legislate.

Mr. Jones insisted on his resolution, and that no discourtesy was meant to the commission.

Mr. Loftin thought the resolution a proper one, whether it reflected on Governor Jarvis, Governor Vance or Governor anybody else. He thought it should be adopted.

Mr. Linney thought the resolution would involve two or three extra sessions. He thought it too much for the time we had to do the work in this session.

Mr. Jones said if it caused an extra session let it come.

Mr. Linney asked what light the resolution would throw on legislation as to the sale of the road.

Mr. Jones replied they expected to show that the net income of the road was enough to build it of itself to Ducktown.

Mr. Alexander again insisted that it would not be treating the commission with the respect that was due them, though he declared he was not against the investigation itself.

Mr. King said he would cite an instance for the Senator from Alexander were the information was important. The bonds as issued upon this road have the clause of restriction as imposed by the statute on their face. The legislation sought had the effect to make them valid whether the conditions were complied with or not. Turn the lights on that this body may vote intelligently.

Mr. Jones amended his resolution; "Provided that the committee be first required to inquire of the Governor as chairman of the commission." The resolution was adopted.

Bill to incorporate King's Mountain High School passed third reading.

Mr. Pemberton's bill came up as special order, requiring the Attorney General of

the State to appear for and defend citizens of the State who are indicted in the United States Courts for violation of election laws when solicited so to do by such citizens. Mr. Pemberton spoke to his bill. He said it was but a manifesto to the voting people of the State that whenever they were unjustly indicted in the Federal courts their State would have its officer see justice done them.

Mr. Scott, of New Hanover, said if the Senator from Stanly would amend the bill somewhat and change its title to a bill to prosecute violators of election laws he would support it.

Mr. Strayhorn thought the bill unwise, in that it brought into conflict the State and Federal authorities. He thought it ill-advised.

Mr. Pinnix opposed it for the same reasons.

Mr. Womack, for the judiciary committee, said—to say nothing of the other views of the committee against it, they did not think the Attorney General had the time to be running all over the State attending to these little election disputes.

Mr. Linney said there was a disposition on the part of many Senators to fight fire with fire. Some of the good books taught that even anger, with good excuse, was almost justified, and he was nearly ready to vote for the bill, but couldn't exactly make up his mind to do wrong because the Federal Courts did wrong.

Mr. Boykin said for the committee, that the committee reported this bill adversely with great regret. The evil which the bill undertook to correct was apparent, but this was not a practical way to remedy it. There were certain duties incidental to citizenship which every citizen is compelled to perform for the public good. If the citizen violates any law in the performance of any of these duties he violates the law as an individual and not as an agent of the State. The bill is unfortunate in that it will arouse a spirit of antagonism between the State and Federal government. The Attorney General is required to perform certain duties for the public. His entire time is thus consumed. It is not proper that he should be required to attend to the case of an individual indicted, as provided in the bill, to the neglect of the public interests. It is the duty of the State to protect its citizens. However, it is not proper to protect one citizen at the expense of the entire population.

Mr. Payne said he would vote for this bill because here stands a statute that was a reproach to civilization, against the operation of which it was the purpose of this bill to protect the citizens of the State by giving them the aid of learned counsel in the employ of the State. Upon an information filed in the Federal Court any citizen of the land could be dragged from his

home and tried without any indictment ever having been found by a grand jury. Such proceedings would, if not checked and rebuked, end in oppression to the citizen. The pending bill looked only to the protection of the liberty of the citizen.

Mr. Scott, of New Hanover, moved to table the bill, and called for the ayes and nays; they were ordered; ayes 21, nays 12, so the bill was tabled.

Bill to increase the number of justices of the peace in the several townships of the State

Mr. Scott, of New Hanover, asked for the ayes and nays. Ordered; ayes 19, nays 14, so bill passed its second reading. This bill adds two to each township and has passed the House.

Mr. Scott, of New Hanover, offered an amendment on the third reading, that the increase be elected by the vote of the people of the townships. He spoke to his amendment; he wanted to see the people smile one time in thinking one time they had been restored to the full rights of suffrage.

Mr. Whitford hoped the bill would pass.

Mr. Mebane was in favor of an increase, but he should vote for the amendment of course, but if that failed, he should vote for the bill.

Mr. Scott, of New Hanover, asked for the ayes and nays on his amendment.

Mr. Boykin said without touching upon the merits of the case at all, if the amendment was adopted, it would make the bill inconsistent, and thereupon he should vote no.

The vote was ayes 12, nays 20, so the amendment was not adopted.

The main question was put and the bill passed its third reading.

Bill to elect eight additional trustees to the University.

Mr. Hill and Mr. Loftin explained the bill. It passed third reading.

Bill to incorporate the town of Caswell, in Pender county.

Mr. Scott, of New Hanover, opposed the ninth section of the bill. [Report of the bill and discussion on it were given in THE NEWS AND OBSERVER last week when it came up.]

Bill passed third reading—yes 26, nays 3.

Bill to authorize the county of Halifax to fund its debt and levy a special tax to pay the same. Passed third reading—yes 32, nays 1.

Bill for the commissioners of Dare county to levy a special tax. Passed third reading—yes 34, nays 0.

Bill to construct a road from L. J. Smith's store, in Jackson county, to Brevard, in Transylvania county. Passed third reading.

Bill to repeal the act relating to certain villages and towns in Bertie county. Com-

mittee's substitute adopted and the bill passed third reading.

Bill to establish free graded schools at Edenton for both races. Mr. Woodhouse's bill. Passed second reading—yes 27, nays 2.

Special order came up on the bill for the sale of the State's stock in the Cape Fear and Yadkin Valley Railroad Company.

The chair announced that the question would first be on the substitute to the bill by the gentleman from Martin.

Mr. McCloud here offered an amendment to the original bill giving to the Governor, the Attorney General, the Treasurer and Secretary of State the power to extend the date for building the road from Mount Airy to the South Carolina line to Jan. 1, 1885.

Mr. Linney thought it unwise to impose legislation upon the Executive Department, if these gentlemen should need relief a subsequent legislature would be just enough to give it to them.

Mr. McLean said it was no new thing to bring the Executive Department into the bill as they were the ones under the original bill to make a transfer of the State stock. As to extension of the time it couldn't hurt the gentleman's line, he hardly thought it possible to complete the branch from Walnut Cove to Patterson by that time anyway. Does the Senate think it would be fair that this road graded for 125 miles to the South Carolina line, and running through a better and more populous country than the Senator's from Alexander, should be put off to an indefinite time in building in order that this branch road, not graded, nor a lick yet struck, may be built, and that too after his country had spent sixty thousand dollars, and the Senator's country had not contributed a cent.

Mr. Linney spoke at length against the amendment. It gave the Governor the power of tearing down the safe-guards to the bills. He thought this proposed change was in the interest of the syndicate. As to his country's contributing they were not going to give anything till they had guarantees of something to be done for them, whereas the counties that had contributed already had received a benefit of the work.

Mr. McLean said he knew no interest of any syndicate and the Governor and his Council were not men to be moved by the whims of a syndicate.

The vote was taken on the amendment. Ayes 12, noes 12. The Chair thus voted no, besides no quorum was voting. Some Senators were in the lobby at the time.

Mr. McLean then asked the ayes and noes on his amendment. Ordered. Ayes 24, nays 13, so the amendment was adopted.

Mr. Dotson's amendment by which not a dollar of the bonds can be given to another road until one-fourth of the work is done,

was put to a "viva voce vote"—not a quorum voted.

The Chair here said it was impossible for the Senate to transact business unless Senators gave their attention to the business before it.

Mr. Dotson then asked for the yeas and nays on his amendment. Ordered. Yeas 20, nays 10, so the amendment was adopted.

Mr. Pool's substitute was then read. It requires the purchasers to pay to the State in cash fifty-five thousand dollars in cash, and also the par value and interest for the thirty thousand dollars of the company's bonds purchased by the State &c. Section 9 gives the company full power to extend the main line of the road to the city of Wilmington and to the Virginia line but to build any branches to the main line that may be expedient. This substitute was offered as the minority report.

Mr. Pool spoke to the bill. He said it was an absolute sale to the State. He said the original bill had been loaded down with so many amendments and provisions and restrictions that it would have the effect of killing the bill before this General Assembly. He said it was becoming the sense of the people that the State should get out of building railroads and leave it to corporations. If you propose to make a sale of the State's interests in this road, then why not deposit the money with the State treasury and let it be there for the benefit of the State. He did not believe with the Senator from Wake in selling it out at public auction, for then they wouldn't get the value of the road, but when a syndicate offered to pay down cash every cent the road was worth, then he was for selling it to them.

The substitute was put to a vote. Mr. Dotson asked the ayes and noes. Ordered. Ayes 13, noes 23, so the substitute failed to pass.

The bill was then put on its second reading and passed.

Mr. Pemberton asked a suspension of the rules and his resolution providing that Senators shall make their reports and introduce their petitions and bills on the regular call was adopted.

Mr. Pinnix, a bill to amend chapter 232, laws of 1879.

House amendments to Senate bill 38, House bill 604, and Senate bill 220, House bill 443, were concurred in by the Senate.

[NOTE.—In report the other day of bill incorporating Church of the Disciples at Wilson's Mills, it was written two miles but appeared ten.

HOUSE OF REPRESENTATIVES.

MONDAY, February 12, 1883.

Speaker Rose called the House to order at 10 o'clock.

Prayer by the Rev. Mr. Brown, of the House.

The reading of the Journal was dispensed with, and it stood approved.

Petitions were introduced as follows:

Mr. Stanford, from Pender county, asking an amendment to the constitution.

Mr. Biggs, from Dare county, asking a no-fence law.

Mr. Patrick, relative to the sale of liquor in a certain locality in Tyrrell county.

Mr. Tate, relative to the sale of liquors near Zion Church.

Mr. Stringfield, from Waynesville, against the repeal of the local option law.

Messrs. Strudwick and Bledsoe, petitions asking the repeal of the purchase tax on liquors.

Mr. Bledsoe, from the Raleigh Blues.

Mr. Wilcox, petition relative to the laying out of a public road in Wilkes and Ashe counties.

Mr. Thompson, relative to the appointment of justices.

Mr. Ray, asking that the town of Franklin be incorporated.

Mr. Bruce, two petitions protesting against the change of the contract on the Western North Carolina Railroad.

Mr. Stewart, relative to the appointment of justices of the peace.

Mr. Gatling, from sixty-four citizens of Gates county, against the passage of an act abolishing the sale of liquors near Kittrell's Church.

REPORTS OF COMMITTEES.

Sundry committees reported variously upon the following bills:

Concerning the duties of the Mayor and Board of Aldermen of the town of Goldsboro. To incorporate the town of Sassafras Fork. To change the charter of Edenton. To make it a misdemeanor to employ minors without the consent of the parent or guardian. To incorporate the town of Bell's Ferry. To repeal chapter 191, and 216 laws 1881. To incorporate the town of Sharpsburg. To incorporate Central Institute for young ladies. To incorporate the Insane Asylums of the State.

RESOLUTIONS.

Mr. Landreth, Relative to final adjournment.

Mr. Tate, of enquiry to the Governor.

BILLS.

Were introduced, passed their first reading and were referred as follows:

Mr. Anderson, to incorporate the trustees of Haysville High School. Corporations.

Mr. Hayes, of Swain, to authorize the commissioners of Swain county to pay certain school claims.

Mr. Riggs, to repeal so much of chapter 260, laws of 1876-77, as applies to Roanoke Island. Propositions and Grievances.

Mr. Abbott, relative to the sale of liquor in a certain locality in Camden county. Propositions and Grievances.

Mr. Baum, to amend chapters 230, laws of 1879. Propositions and Grievances.

Mr. McCurry, relative to the sale of liquor near Salem church in McDowell county. Propositions and Grievances.

Mr. Patrick, relative to the sale of liquor near St. Andrews church in Tyrrell county. Propositions and Grievances.

Mr. Simmons, to prevent the tying or anchoring of boats near public roads and bridges in Beaufort county. Propositions and Grievances.

Mr. Overman, to amend the stock law in Rowan county. Propositions and Grievances.

Mr. Byrd, to incorporate the Asheville and Burnsville Railroad Company. Corporations.

Mr. King, to amend the charter of Greensboro. Corporations.

Mr. Peebles, to authorize Chowan county to levy a special tax. Finance.

Mr. Bryan, to change the line between the counties of Alleghany and Wilkes. Propositions and Grievances.

Mr. Bailey, Mecklenburg, to amend the law touching the publication of a summons. Judiciary. To prescribe the effect of statutes upon existing suits. Judiciary.

Mr. Bailey, of Wilson, for the relief of James W. Lancaster. Finance.

Mr. Phillips, concerning fees for marriage licenses. Salaries and Fees.

THE CALENDAR

was then taken up and the following bills disposed of as follows:

To protect sheep in Madison county. Passed third reading.

To incorporate the Immigration Land and Mineral Company. Postponed until to-morrow.

To incorporate the town of Wilson's Factory. Passed third reading.

To incorporate the Southern Mining, Smelting and Manufacturing Company. Recommended.

MESSAGES

were received from the Senate informing the House that the Senate had passed the following bills which were read in the House and disposed of as follows:

To regulate the killing of wild fowl in the waters of Currituck county. Propositions and Grievances.

To repeal chapter 62, laws 1881 Propositions and Grievances.

To incorporate the Normal School in Monroe. Education.

To create a sinking fund in New Hanover county. Finance.

To define and punish lobbying. Judiciary.

To amend chapter 78, laws 1881. Judiciary.

To incorporate the Citizens Trust Company. Corporations.

To incorporate St. James Parish in Wilmington. Corporations.

Relative to the plan of Wilmington. Corporations.

To change the time of holding the Superior courts in Halifax county. Judiciary.

To incorporate Hoffman and Troy Railroad Company. Internal Improvements.

CALENDAR—(resumed.)

To incorporate the American Legion of Honor, passed its third reading.

An act for the better protection of landlords, passed its third reading.

To establish a graded school for whites in Lumberton school district. Informally passed over.

In relation to graded schools in Goldsboro, passed second reading.

To construct a public road in Pamlico county, passed third reading.

Leave of absence was granted to Messrs. Johnson, of Johnston, and Houston, to the latter on account of sickness.

To prohibit the sale of liquor in certain localities in Madison county.

Mr. Hayes, of Swain, was a Prohibitionist two years ago; take politics out of it, and the people of North Carolina were Prohibitionists. The gentleman from Madison wanted this bill, and he hoped it would pass.

Mr. Stanford differed with Mr. Hayes about the people in North Carolina being Prohibitionists; that they had spoken in thunder tones on that subject. But if the gentleman from Madison wanted it, he was in favor of giving it to him, for he thought that two years hence Madison would send a good Democrat here to represent them if this bill was passed.

Mr. McLeod thought Mr. Stanford misunderstood the gentleman from Swain, that he meant that the people of North Carolina were Prohibitionists; that they wanted to get the whisky out of the way by drinking it up.

Mr. Bryan thought that one mile was sufficient to protect any church; that if the sale of liquor was prohibited within one mile of every church, mill and school house in the State that it would amount to total prohibition in the State. That if you took away the right of the people to sell what they produced, that in many cases they would be unable to pay taxes, keep up schools and pay their preachers.

Mr. Powers, of Cleveland, thought that one mile was not sufficient to protect a church, that it was purely a local matter, and that it ought to be passed, because the gentleman from Madison wished it.

Mr. Candler in reply to Mr. Bryan, said that if the tax derived from the sale of liquor ran the schools and enabled them to pay their taxes and the preachers, that the sale of it helped to fill the penitentiary, and the graves in the State, and that increased

crime. That he was a prohibitionist for one reason, because he was a Republican; that his party, (the Republican) was a prohibition party.

The bill was further discussed by Messrs. Harris, of Wake, and Ball.

The previous question was called for and ordered.

The bill then passed its third reading.

To validate the proof of registration of certain deeds and conveyances, passed its third reading.

To prohibit fishing on Sunday. Referred to the Judiciary.

To republish the reports of the supreme court. Informally passed over.

To change part of the line between Caldwell and Watauga counties, passed its third reading.

Concerning the sale of liquor in certain localities in Watauga county, passed its third reading.

To amend and re-enact the act incorporating the Danville and New River Railroad. Judiciary.

To provide for the election of tax collectors in the various counties. Tabled.

To allow a second action for the recovery of land. Tabled.

Relating to the seduction of women.

Mr. Bailey said that under the present law no one could bring an action for the seduction of his daughter without alleging that she is a servant, and by reason of the seduction is less able to perform her services.

Pending the discussion of this bill by Mr. Bailey the hour of adjournment arrived and the House adjourned.

SENATE.

THIRTY-SIXTH DAY.

TUESDAY, February 13, 1883.

The Senate was called to order at 10 o'clock.

The journal of yesterday was read and approved.

Mr. Webb, petition from Parley Springs Baptist church, Cleveland county, asking for prohibition in three miles of that church.

Mr. Lyon, petition from citizens of White Oak township, Bladen county, against a stock law.

Mr. Dortch, bill providing additional term of the superior court for Wayne county.

Mr. Evans, bill to equalize the school fund in Rutherford county.

Mr. Pemberton, bill to authorize the establishment of graded schools in the State. On motion of Mr. Dortch it was ordered printed.

Mr. Goodwyn asked to record his vote on the bill passed yesterday for levying tax in Halifax county; he would be glad if some Senator who voted for the bill would vote to reconsider it.

Mr. Dortch said he would move to reconsider; that it was a matter of great importance, and one on which the Senator from Halifax should be heard. It was reconsidered.

Mr. Goodwyn said the passage of that bill would work great hardship on the people of Halifax; he spoke earnestly against the bill, and hoped some Senator would move its reference in order that he might go before the committee.

On motion of Mr. Pinnix it was referred back to the committee on finance.

Bill to establish a free academy at Edenton for both races.

Mr. Woodhouse amended to strike out "academy" and insert "graded school."

It was adopted. Bill passed third reading—ayes 29, noes 1.

Bill to regulate the fees of justices of the peace and for other purposes. Mr. Evans' bill. A majority of the committee on salaries and fees reported adversely.

Mr. Womack moved to table the bill. Tabled.

Bill to repeal the law declaring Hiawassee river, in Clay county, a lawful fence. Passed third reading.

Bill to amend the charter of the town of King's Mountain, in Cleveland county. Passed third reading.

The chair at 11 a. m. announced that the hour for the special order had arrived, it being a bill to create a railroad commission. Two bills. One submitted by Mr. Payne with amendments, known as "the Boykin bill," for the majority of the committee, and the other submitted, by Mr. Clarke, for the minority. [These bills have been reviewed in THE NEWS AND OBSERVER.]

The Boykin bill was read.

Mr. Boykin asked that the report of the committee be read.

It was read, stating that the undersigned, representing a majority of the committee, recommend that the above bill do pass.

Mr. Pinnix then called for the reading of the minority report of the committee.

Mr. Payne suggested that sections 11 and 12 be read, as the only difference among the committee was as to regulating the matter of freights. The sections were read.

Mr. Payne said this was a subject of so much magnitude that he would state to the Senate, in the outset, that he could not well give the views of the majority of the committee without consuming some time, and he trusted he would be pardoned for the time he would take. He thought that while railroads, as monopolies, should be regulated by wise police regulations, at the same time they were the creatures of legislative enactment and entitled to proper protection as such.

This railroad commission will stand to the people as an advisory board, and to the Legislature as a committee to investigate

generally its doings. It would stand to this Legislature as a master in chancery, to report to the people the facts and to inform them about railroads—of matters they never knew before. The majority of the committee was a unit as to the power given to the commission. He cited the Dartmouth College case, explained what it was, and, to show to the Senate that the doctrine of the Supreme Court which prevailed in that case was still the law of the land, he read a decision from the United States Reports, of *Stone vs. Mississippi*, in 1879, and also read *Otto XV U. S. Reports*, from a decision in the case of *Greenard vs. Freight Company*, in 1881, and said he thought these two decisions should settle the question that corporations had vested rights. He hoped when Senators should come to argue in favor of the minority report they would show to this Senate one line of law by which a Legislature when it had once granted certain rights, immunities and privileges to a railroad, without a further provision at the time that they could be altered, could ever change or interfere with such rights. The people do not demand that the commissioners shall make a schedule for the roads. No memorial has yet been received making such demand. The cry comes against unjust discriminations. The bill of the majority meets this demand, and prevents discrimination. He further said that it was plain that the Wilmington and Weldon, the North Carolina Railroad and six other roads were protected by the terms of their charters from the power of the Legislature to prescribe the rates of freight. Inasmuch as those old and established roads cannot be reached, the committee deemed it unwise to give powers to the commissioners that might be exercised only as to the new and struggling roads.

Mr. Pinnix spoke for the minority report. He said they proposed to appoint three intelligent men (above reproach) to come in between the public and the railroads and act as arbitrators. But what do the majority propose? He would tell them what. They propose to appoint three men at three thousand dollars salary each and a clerk at twelve hundred dollars, and to do what? To draw their pay and to sit down in the shade and do nothing. Suppose this majority commission do find that the railroads unjustly discriminate? What are they going to do? They say we can't regulate freights; they say we are precluded under the Dartmouth College case. What are we going to do? Report to the Legislature? And what are they going to do? Do what the boy shot at. Do nothing. The people had the fever and we were treating them for the toothache. The public ask for one thing and we give them another. They ask for bread and we give them a stone. Whoever

heard any complaint of the public about station houses? What's the use for the report on that—of course the railroads would keep up good station houses and good cars, &c., &c. Instead of offering a bill here to correct these railroad abuses, this majority report actually proposed repealing all the statutes now standing to that end—for instance, the statute preventing discrimination against hotels and eating houses—it would repeal all that. Again, why appoint a commission to tell the Attorney General to do that which the law has already provided for? He referred to the Dartmouth College case, and said there were springing up so many railroads of new birth that we were bound to recede somewhat from the doctrine laid down in that case. He regarded the bill as a step toward Federal control, and woe betide the day when the Federal government took control of the railroads in North Carolina. If the Legislature by itself or commission has no right to regulate freights or fare, then it has no power to prevent discrimination as to other matters, provided the charges are within the rates set forth in their charters. In his opinion the Legislature had no right to assess the railroads to pay the expenses of the commission.

Mr. Dortch asked Mr. Pinnix if, as he held that the Legislature had the power to control the freights and passenger fares of railroads, didn't it also have the power to assess them for the expenses of the commission?

Mr. Pinnix said, in reply, that he congratulated himself that the Senator from Wayne agreed with the minority, that they had the right to regulate the freights and fares of railroads.

Mr. Dortch said he believed the Legislature had the power to regulate freights and fares, but did not think it was expedient at this time. He offered the following amendment to the majority bill:

"Section 18. The railroad commissioners shall have power to employ an expert, when necessary, to be paid out of the funds herein provided for, and said commissioners, their clerk and expert, shall be transported free on every railroad in this State, when travelling on official business."

Mr. Boykin spoke to the majority report. He was astonished at the Senator from Davidson pursuing the course he had this morning. Every section of the majority report which the Senator condemns is contained in the minority report which the Senator has signed and espoused. It is remarkable that the Senator should undertake to throttle his own offspring in this manner. In fact, the only difference between the majority and minority report is as to the powers of the commission, the majority report limiting them in power and the minority giving them unlimited power. And why the Senator from Davidson should

denounce the majority report for the very same provisions he himself had adopted, was astonishing to him.

Mr. Pinnix here interrupted, explaining that he had not denounced the committee.

Mr. Boykin took up the 11th section of the minority report, and argued it as unconstitutional. It violates that article of the constitution which says that the judicial, legislative and executive departments of the government shall be distinct. The commission has legislative power in that the commissioners prescribe the rates; judicial power in that they decide upon the reasonableness of the rates; executive power in that they enforce all rules and regulations directly. The 12th section is unconstitutional, because when the schedule of rates is once fixed by the commission, such schedule is sufficient evidence of the reasonableness of such rates. The railroads, by this arbitrary power, are deprived of the right of trial by jury and the right of appeal. Whatever may be the law as to the power of the General Assembly to control in this respect railroads chartered before 1868, the majority report does not come under the condemnation of the constitution. It does not change the maximum of the rates in those charters granted before 1868. It simply proposes to regulate those rates. So long as these limits of tariff are preserved, the General Assembly may control the manner in which they are used. Such railroads nowhere in their charters have the right to discriminate in favor of A as against B, or in favor of Goldsboro as against Charlotte. The only vested rights which they have are certain maximum rates, etc. The majority report does not in any material manner interfere with such rights, either by modification or repeal. Hence the proposed legislation of the majority is not unconstitutional.

He gave, in detail, the following reasons why the commissioners should not be authorized to regulate rates:

1. It is unjust to require an unfinished road to adopt rates of old and established lines with fixed and expanded business relations.
2. Difference in cost per mile indicates a difference in rates to produce equal return on investment. Difference in "grades," in a degree, changes the cost of transportation.
3. Every line has some local speciality of production to be fostered, which prevents uniformity of rate.
4. Cost of transportation is varied by the seasons of the year, local supply and demand of labor, abundance or scarcity of crop year, and cost of living to the laborer.
5. In a State like North Carolina, of such diverse soil, production and climate, there can be no such thing as "uniformity" for anything.
6. It is against public policy to attempt any cast-iron rule, under such circumstances, which

would impair the value of investments already made or deter others from being made in improvements, in the more elevated, and, in many respects, less favored portions of the State. 7. This legislation is experimental—don't attempt too much at first, lest we hinder rather than facilitate trade.

He was in favor of giving the commissioners power to prevent unjust and unreasonable discriminations, but for the above reasons was opposed at this time to the provisions of the report of the minority.

The minority are in favor of regulating and prescribing the rates of all railroads. If we have this right, certainly we have the power to assess the gross income of the roads to defray the expenses of the commission. This legislation is experimental. Let us not act hastily. Thirty millions of dollars are invested in railroads in North Carolina. The legislation of the minority will destroy, or tend to destroy, this capital. If the legislation proposed by the majority is not stringent enough, we can enlarge the powers of the commission in 1885, when the next Legislature meets. Hasten slowly.

During Mr. Boykin's argument, Mr. Linney desired to know his opinion as to whether the General Assembly had the power to control and regulate railroads chartered before 1868. Mr. Boykin replied that he was of opinion that the great case of the trustees of Dartmouth College vs. Woodward, had been greatly emasculated by subsequent decisions of the courts. Law is what a moral intelligent public sentiment prescribes. The State is sovereign. It is difficult to understand how a sovereign can surrender to an individual rights and privileges which are necessary and essential to the happiness and prosperity of the State.

Mr. Pemberton moved that the further consideration of the bill be postponed till to-morrow at 10:30 a. m.

Mr. Dortch offered two amendments, one to strike out in section 2, line 2, the word "twelve" and insert "eighteen;" and the other was to strike out section 16 altogether.

Mr. McLean offered an amendment: Provided that this act shall not apply to the Alma and Little Rock Road.

Mr. Pemberton's motion making bill special order to-morrow at 10:30 was adopted.

Bill as special order came up providing an alternative method for keeping in repair the public roads in Forsyth.

Mr. Alexander said as the Senator from Forsyth was sick at home he moved to postpone.

Mr. Pemberton said he was in receipt of a letter this morning from the Senator from Forsyth, stating that he could not be in his seat for some time yet, and hoped the bill would not be postponed. Afterwards he consented to the postponement and moved

that it be made special order for 11 o'clock Thursday. Adopted.

Bill to prohibit the use of drift nets in certain waters of the State. Mr. Clarke, for the committee, stated the amendment to the bill, confining it merely to the county of Dare—which was adopted—and the bill passed its third reading.

Bill to quiet titles to real estate, to take effect the 1st day of July, 1883. Mr. Clarke amended, to make it the 1st of January 1884, which was adopted, and the bill passed its third reading.

Bill to allow fishing with seines in the Scuppernon river passed its third reading.

Bill relating to the incorporation of Mount Holly, in Gaston county, passed its third reading.

Senate bill, which provides that county commissioners shall grant licenses to applicants to retail liquor when complying with the qualifications required by law.

Mr. Pinnix moved to recommit, that they might have a general law; with consent from Mr. Pemberton to amend. Recommended. Adjourned.

[NOTE.—Mr. Toon, of Columbus, got leave of absence till Thursday, on account of the death of Mr. McCracken, his father.]

[Mr. Dotson's amendment, yesterday, to the Cape Fear and Yadkin Valley bill, also provides in case of failure of the failure of the company to build the road any other company may take hold and complete it.]

HOUSE OF REPRESENTATIVES.

Speaker Rose called the House to order 10 o'clock.

Prayer by Rev. Dr. E. A. Yates of this city.

The reading of the journal was dispensed with and it stood approved.

PETITIONS

were introduced as follows;

Mr. King, relating to the appointment of a justice of the peace.

Mr. Wood, from Kinston, opposing a graded school. From the trustees of Kinston College opposing a graded school for said town.

REPORTS OF COMMITTEES.

Sundry committees reported variously upon the following bills:

To amend section 6, chapter 135 laws 1879. Resolution changing the tax on guanos from \$5.00 to 20 cents per ton. To amend chapter 83, of Battle's Revisal. Concerning the town of Middleburg in Vance county. Resolution instructing our members in Congress to secure an appropriation for Bay River To alter the line between the counties of Caldwell and Wilkes. To amend the charter of Lexington. To prohibit fishing on Sunday. For the registration of certain deeds. To change the time for holding the Superior

Courts for Halifax county, To amend the law touching the publication of a summons. To amend chapter 64, of Battle's Revisal. To amend chapter 78, laws 1881. To amend and reenact chapter 158, laws 1881.

BILLS

were introduced, passed their first reading and were disposed of as follows:

Mr. Wood, to give to Kinston College power to confer marks of honor and distinction upon students. Committee on education.

Mr. Simmons, to amend chapter 25, laws 1880. Finance.

Mr. Stanford, to prevent the feeling of trees in Halso and Cole swamp, in Duplin county.

Mr. Turner, relative to the sale of liquor near Prosperity Church. Propositions and grievances.

Mr. Peebles, by request; to reduce warranties in insurance policies and applications therefor for representations, &c. Judiciary.

Mr. Abbott, to incorporate Shiloh Lodge No. 90, I. O. O. F., of Camden county. Corporations.

Mr. Bennett, to incorporate the Yadkin Mineral Academy in Stanley county, and a petition asking for the same. Calendar.

Mr. Frazier, to repeal chapter 46, laws 1876-'77. Calendar.

Mr. Byrd, to incorporate the Asheville and Burnsville Railroad Company. Corporations.

Unfinished business of yesterday was taken up it being

A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TOUCHING THE SEDUCTION OF WOMEN.

INTRODUCED BY MR. BAILEY, OF MECKLENBURG.

The General Assembly of North Carolina do enact:

Section 1. That hereafter in actions for seduction it shall not be necessary to allege in the complaint the existence of the relation of master and servant as between the plaintiff and the party alleged to have been seduced, provided the plaintiff shall be the father, or if he be dead, the mother, or in case of an orphan seduced, the guardian or any one standing "in loco parentis," but in all such cases the father, if living; or if dead, the mother, or if both be dead, the guardian or any one standing in the relation of a parent to the female alleged to have been seduced, shall have a right of action for such seduction: "Provided," that this act shall not be construed to abrogate the action for seduction as it now exists.

Section 2. That this act shall take effect from and after its ratification.

Mr. Bailey, of Mecklenburg, said that the law as it now stood compelled a man in his suit for the seduction of his daughter to allege that she was his servant and was

less able to perform her duties by reason of the seduction. In a case where a man who had a daughter seduced who was insane, or unable to work, or who was absent from the homestead at the time of the seduction, there was no remedy. This bill merely makes it unnecessary to allege the relation of master and servant. He hoped the bill would pass.

Mr. Page thought that this bill was not needed to protect the virtue of N. C.; that the purity of this people would protect itself.

Mr. Overman said that this was not a bill to be laughed at but one to be seriously considered. That if you wanted to bring a suit for a horse you bought your action for a horse, but when you sued for seduction you were compelled to bring your action for services lost, and thereby force the plaintiff to swear to a lie in order to get his action.

Mr. Powers, of Cleveland, thought it was a monstrous technicality which protected the virtue of a servant, because she was a servant, and did not protect that of a daughter. He favored the bill.

Mr. Page said the committee had carefully considered this bill and reported adversely on it, and he hoped the report of the committee would be sustained and the bill voted down.

Mr. McLoud thought that to give men whose daughters had been seduced adequate remedy, the passage of this bill was necessary.

Mr. Peebles moved to substitute the presented bill, and stated that if that was done he had no objection to it.

Mr. Page said his objections were to the original bill, and he had none to the substitute. The substitute was adopted. The bill then passed its third reading.

THE CALENDAR

was then taken up, and the following bill was disposed of as follows:

Substitute for an act for the protection of farmers. Tabled.

SPECIAL ORDER

for this hour was then taken up, it being an act relating to the sale of the State's stock in the Atlantic and North Carolina Railroad Company.

Mr. Overman explained the object of the bill, and stated that he had no private purpose to serve in introducing this bill; that it grew out of the Governor's message, and all he wanted was to see a railroad running through that part of the State. He read a portion of the Governor's message in support of his argument in favor of the bill. He spoke of the great benefit it would be to the people of the section through which it ran. He hoped it would pass.

Mr. Page said that of course this road would open up a great country; that a railroad built in any part of the State would

open up a great country. That it would run nearly parallel with the North Carolina railroad—the only road in the State which declared a dividend on its bonds or helped to pay the interest on the State debt. That to run a road along the side of this road would be to bring the State's interest into competition with that of this new road. And he was opposed to it, because the private stock was not protected.

Mr. Tate moved to refer to the committee on Internal Improvements.

Mr. Overman said that he was opposed to referring; that the road did not run parallel with the Western North Carolina railroad, for that road run almost in a circle, and that a straight line would not run parallel with a circle.

The motion to refer prevailed.

CALENDAR (resumed.)

To incorporate the insane asylums of the State.

Mr. Wilcox moved to amend so as to allow paying patients only when there was room without excluding indigent patients.

Mr. Stringfield moved to amend so as to prevent any person from entering these institutions, or any other State institution, who owns five dollars worth of property, except the penitentiary.

In the same debate Mr. Powers, of Cumberland, is accredited with a speech made by Mr. Powers, of Cleveland. Mr. Powers, of Cumberland, holds to different views from those expressed by Mr. Powers, of Cleveland.

Mr. Candler replied to Mr. Bryan and not to Mr. Byrd.]

Mr. McCotter moved to amend so as to provide that when the asylums were full and an application was received from an indigent person, that paying patients be discharged so as to make sufficient room for the indigent.

The bill was discussed by Messrs. Stanford, Bunn, Wilcox, Holt and others.

The amendments were voted down.

The bill then passed its third reading.

To amend an act to provide for the levying of taxes. Ordered to be printed.

To amend chapter 126, laws of 1881, relating to the stock law for Wake county.

Mr. Bledsoe opposed the bill.

Mr. Peebles saw no harm in the bill; that there were some people in this Legislature who desired to mix politics with everything that came up; that this bill merely provided that when a majority of the voters of any township signed a petition that a no-fence law should be established for that township, that the county commissioners should establish such a law. He thought it a cheaper way than to hold an election, and hoped the bill would pass.

Mr. Bryan thought it would be laying a bad precedent, although it applied to only one county. Yet it might be made to apply

to the whole State. That owing to the fraud that is often practiced in signing names to petitions, the commissioners might be misled.

Mr. Powers, of Cumberland, was opposed to the bill because it was not submitted to a vote of the people.

Mr. Bunn said that it was easy enough to ascertain whether the majority of the voters were in favor of it, for the registration books were kept in the court house, the same building in which the commissioners held their meeting.

Mr. Temple said that three-fourths of the people of Wake county were opposed to a no-fence law and he hoped the bill would not pass.

Mr. Harris, of Wake, said that he was not the framer of the bill, but introduced it by request, and that as a representative of Wake county it was his duty to present the bill and he should do so, whether asked to do so by a Democrat, Republican, a white or a black man. He then explained the bill and said that as it now stood, providing that the will of the people should be ascertained before it went into effect, he should support it.

The bill was further discussed by Messrs. Holton, Liles, Holt, Bledsoe, and Powers, of Cleveland.

The previous question was called for and the call sustained. The ayes and nays were ordered, and upon a vote being had the bill failed to pass its third reading by a vote of ayes 51, nays 57.

Bill to incorporate the Land and Mineral Company of North Carolina was taken up. Pending its consideration the House adjourned.

NIGHT SESSION.

The following bills passed their final reading: Incorporating the North Carolina Land and Mineral company; to protect oysters; prohibiting fishing on Sunday; incorporating the town of Glen Alpine; incorporating Wilkesboro Bridge Company; making it unlawful to poison fish in streams; for the relief of Mrs. Mary R. Moore.

Passed their second reading: Authorizing Tyrrell county to levy a special tax; incorporating the town of Bell's Ferry; authorizing the commissioners of Cumberland county to build a free bridge over the Cape Fear; to incorporate the town of Maiden.

Bill making it a misdemeanor for contractors not to pay employees was tabled.

SENATE.

THIRTY-SEVENTH DAY.

WEDNESDAY, February 14.

Senate called to order at 10 o'clock.

PETITIONS.

Mr. Webb, asking an appropriation for the State Guard.

Mr. Scott, of Rockingham, protesting

against appointing weighers for tobacco warehouses.

BILLS.

Mr. Hill, to change the time of holding the Superior Courts in the counties of Wilson, Nash, Duplin and Lenoir.

Mr. Lovill, to incorporate the Watauga Mining Company.

Mr. Hill, to repeal chap. 316, laws 1881.

Mr. Webb, relative to the election of a finance committee in Cleveland county.

Mr. Dortch, to supplement the act to prevent live stock from running at large in Greene and Lenoir.

Mr. Boykin, to amend chapter 184, laws of 1881, concerning charter of Clinton and Faison Railroad Company.

Senate concurred in House amendment to bill to lay out and construct public road from Stonewall to Neuse river road, in Pamlico county. House amendments to bill to protect landlords were referred to judiciary committee. To House amendment proposing to strike out the three-mile clause in Madison county school house prohibition bill, and make it one mile, Mr. Ebbs spoke in opposition. The Senate refused to concur.

Mr. Ebbs, bill concerning the courts of Madison county.

Mr. Loftin, to prohibit fast driving over certain bridges in Greene county.

Bill to amend charter of town of Henderson passed its third reading.

Bill to amend the charter of the city of Newbern, providing for an additional levy of a tax of ten per cent., as stated by Mr. Caho, was taken up.

Mr. Jarke opposed the bill and offered an amendment.

Mr. Caho said the bill was introduced at the instance of the city government of Newbern, and gave their reasons for wishing the additional levy. He offered an amendment that the additional levy of 10 per cent. should not extend longer than two years. He explained that by ten per centu was meant ten cents on the hundred dollars.

Mr. Whitford said at first he was opposed to the additional levy until he canvassed the matter with the property holders, and he now favored the bill. Further discussion was cut off by

THE SPECIAL ORDER.

Bill for sale of the State's interest in the Cape Fear and Yadkin Valley Railroad, which came up, Mr. Pool's substituted bill being before the Senate, instead of the original bill.

Mr. Pool spoke to his substitute, asking what use there was in discussing a measure that the syndicate absolutely refused to accept; they might as well bring things to a point by considering his substitute which proposed to buy what the State desired to sell. He was tired of sitting here day after day listening to amendments which loaded

down the original bill. Every Senator along the line of the road seemed to think it his duty to place restrictions on the bill.

Mr. Lovill said he was surprised at the course the Senator from Martin had taken in this matter. He had understood that he would not press his substitute if their bill and amendments could be agreed on, and they had nearly agreed on them. But the Senator from Martin had revealed himself. He was directly opposed to the interests of the western people, when the west had always rallied to the aid of the east.

Mr. Morehead spoke in favor of the substitute. If it was adopted, when the road got to Mount Airy the State would have in the Treasury \$88,000 in cash; and besides when this bill or the other bill passed neither became a law until it was left with the private stockholders, and he spoke by authority in declaring that they would not endorse any bill that would not complete this road. He did not believe the stockholders would endorse the original bill, but the road would go to sale and be purchased by some parties who were inimical to the building of the road.

Mr. Clarke said the road ought to be built, but when we extend the hand to our western friends and say "we will give you aid," and then turn and sell the road for \$55,000, without hedging it around so that the road must be built to Mt. Airy and Patterson, we give them no relief at all.

Mr. Scott, of Rockingham, said he was really grieved when the bill was introduced that there was so much discord and dissatisfaction among its advocates. He knew there was a desire of each that the road should go through his particular locality. North Carolina was tired out and sick of her interests in railroads, and if this was an opportunity to rid herself on fair terms of her interest in this road, then let us avail ourselves of it. The idea with him was not what the road had cost, but what it would cost if North Carolina should remain tangled up with it. He believed, as a representative of the people, that if we could be made sure of the building of the road, even if the State got not a dime for it, it would be well to let it go, simply because it would result in building up and developing one of the best and richest sections in the State. Nothing could be safer or fairer to the State than the proposition offered by the substitute. Unless this proposition was accepted, the road, in his opinion, would have to go to sale, and North Carolina and the private stockholders would suffer, for either the State would buy the road, or else the Richmond & Danville, or Wilmington & Weldon, or some other railroad, would buy it and throttle it.

Mr. Womack said no Senator would go further for building this road than himself. He presented both sides of the question, and asked the Senate to take a common-

sense, practical view of the whole matter. This was the only syndicate that would buy the road, and we had the assurance of that syndicate that they would not accept the original bill, loaded as it was with amendments, and the private stockholders would not accept it. This substitute was amendable to both syndicate and stockholders. He thought the substitute best the other day, and voted for it at the time.

Mr. Linney said he was a little surprised that Senators now proclaimed themselves for the substitute because of the amendments to the original bill, when before the committee on internal improvements they voted against the substitute because it contained a bad trade. He put the question to the president of Virginia road, a few days ago, (a gentleman well known, Mr. Sutherland), as to the value of the road with 47 miles built, and he said it would average \$30,000. He maintained that under the substitute, which never had the sanction of any deliberative body, which never had the sanction of the clear-headed Senator from Guilford until this morning, this convict clause is stricken out and the convict force was transferred to these assignees for how long? for one year? The Senator from Guilford cannot say for what length of time. The substitute is a mere cobweb; no argument can be founded on it. Where's Mount Airy and the Patterson branch. Both are cut out of the original bill and the Shoe Heel branch put in it?

Mr. Pemberton said the syndicate was required to complete the Shoe Heel branch next year.

Mr. Linney said the Shoe Heel branch may sprout like a tobacco plant and put out other branches; we can't tell about that.

Mr. Alexander said this matter should be governed by business principles. If it is true that the syndicate have rejected the first proposition, it takes two to make a trade. If a trade is made it must be with the syndicate's consent, and it stands exactly in the position of an individual driving a bargain. This must take that business course, and as the first proposition had been rejected he could see no reason why the substitute should not be adopted.

Mr. Pinnix said he was satisfied with the honesty of purpose of the syndicate, and therefore would vote for the substitute.

Mr. Morehead replied to Mr. Linney, as to the convict clause, saying that the provision as to convicts in the substitute was in the bill that Mr. Linney advocated yesterday.

Mr. Clark again spoke against the substitute.

Mr. Payne said he could not support the substitute, and merely desired now to explain his position and the vote he would cast; having heretofore fully discussed this matter it was not his purpose to make any speech. On Friday the pending amend-

ments were agreed to by both sides. On Monday the friends of the syndicate proposed an amendment in their interest in regard to the working of the convicts upon the road; this demand was granted by the Senate and the amendment adopted. We are now asked to take back tracks and adopt this substitute without desired restrictions. The demands of the west are just, and entitled to consideration by this Senate.

Mr. Caho called the previous question.

The Chair stated that the first question was the substitute of the gentleman from Martin.

Mr. Dotson asked for the ayes and noes on the adoption of the substitute. Ordered. The vote was taken; ayes 24, nays 19; So the substitute was adopted.

Mr. Clarke offered the following amendment to the bill:

Provided said road shall be first advertised in the New York Herald, Times and World, the Chicago Tribune and the NEWS AND OBSERVER, for the space of three months, and then sold at public auction at the court-house door in the city of Raleigh, for cash. Said purchaser being required to enter into a written, guarantee with sufficient security, to build said road to Mount Airy and Patterson within five years.

The Chair said the amendment being in nature of a proviso, and not a motion to strike out and insert, he could not admit the proposition as an amendment, it not being germane to the bill.

Mr. Clarke and Mr. Linney then proposed to strike out.

Mr. Morehead held they were out of order under the call of the previous question, and was sustained by the Chair.

The bill was then put on its third reading.

Mr. Linney explained his vote, saying he regarded the substitute as infinitely worse than nothing, and voted no.

Mr. Loftin said but for this bill work would stop on the road and nothing be accomplished, therefore he voted aye.

Mr. Purnell said this was the best of the propositions, but he was opposed to the sale of the road and should vote no.

The vote resulted as follows: Ayes 26, noes 18; so the bill passed this reading.

ANOTHER SPECIAL ORDER.

Bill for electing school committeemen; the whites to elect theirs and the blacks theirs, came up as a special order.

Mr. Boykin said that the bill was unconstitutional. Article 9, section 1, of the Constitution prescribes the qualifications of electors. This bill makes an additional qualification. Suppose the bill passes; an election is ordered in a white district; a colored man offers to vote; he is refused; contests his right to vote, and the court shall hold the law unconstitutional, then

we have the very same trouble as we would have if justices of the peace and county commissioners were elected. When a citizen is an elector at all, he is an elector for all purposes. (Van Bokkelen vs. Canaday, 73 N. C.)

Mr. Black agreed with Mr. Boykin that the bill was unconstitutional, and besides, it being an office of no profit, good men in a county would not want it and only bad men would aspire to it. He thought the commissioners in the counties should select the men.

Mr. Lovill said he could not see that it was unconstitutional; it was merely carrying out the spirit of the constitution that kept the races apart in the schools.

Mr. Womack argued that it was unconstitutional. Besides the costs of elections was a big item. It would not begin to do; it would be outrageous; it would be greatly to the prejudice of the colored race; in fact in all its bearings it was wrong and impractical. He moved to lay the bill on the table.

Mr. Pemberton moved to adjourn.

Adjourned.

HOUSE OF REPRESENTATIVES.

House called to order at 10 o'clock by Mr. Speaker Rose.

Prayer by Rev. Dr. Skinner.

PETITIONS

were introduced as follows:

Mr. Mitchell, from Hertford county, asking the repeal of the purchase tax.

Mr. Leazer, relative to the appointment of justices of the Peace.

Mr. Hewlin, relative to the appointment of a justice of the peace.

Mr. Simmons, from Washington county, relative to the appointment of justices of the peace.

From Beaufort county, relative to the same.

Petitions opposing the formation of the new county of Richland.

Mr. Thompson, from Onslow county, relative to the appointment of justices.

Mr. Sherrill, from J. P. Spencer, of Conover, asking to be left outside the corporation.

Mr. King, from Guilford county, relating to the appointment of a justice of the peace.

Mr. Holt, list of justices for Alamance county.

Mr. Williamson, from Columbus county, asking that the sale of liquor be prohibited within two miles of Mt. Tabor Baptist church.

Mr. Stringfield, from Haywood county, asking the protection of the fish interest.

From the Methodist Sunday School of Waynesville, against the repeal of local prohibition.

Mr. Crouse, from Lincoln county, asking a change of town lines.

RESOLUTION.

Mr. Poe, fixing the time for final adjournment.

BILLS

were introduced, passed their first reading and were referred as follows:

Mr. Tate, to make null and void all contracts for the purchase and sale of cotton futures in the State, and to prohibit the same. Judiciary.

Mr. Simmons, to establish two criminal districts in the eastern part of the State. Judiciary.

Mr. Poe, to amend chapter 26, Battle's Revisal. Judiciary.

Mr. Holton, to amend section 14, Code of Civil Procedure. Judiciary.

Mr. Green, of Franklin, by request, to prevent live stock from running at large in Kittrells township, in Vance county. Propositions and grievances.

Mr. Leazar, relative to the sale of liquor near Bethel Baptist church. Propositions and grievances.

Mr. Tomlin, to prevent the felling of trees in South Yadkin river. Propositions and grievances.

Mr. Stringfield, to prohibit the sale of liquor near Zion Methodist church, in Warren county. Propositions and grievances.

Mr. Baum, to establish the line between Hyde and Tyrrell counties. Propositions and grievances.

Mr. Barrett, supplemental to an act relating to live stock in the counties of Greene and Lenoir. Propositions and grievances.

Mr. Grissett, relative to the sale of liquor in the county of Brunswick. Propositions and grievances.

Mr. Sherrill, to incorporate the Statesville and Catawba Toll Bridge. Corporations.

Mr. McLoud, to incorporate the town of Arden. Corporations.

Mr. Hardy, to prohibit the use of Dutch or pound nets in the waters of Carteret county. Fish interests.

Mr. Bunn, to incorporate Stanhope Academy, in Nash county. Education.

Mr. Overman, to amend the act incorporating the town of Enochville. To incorporate the Salisbury Water Works Company. To prevent the felling of trees in Grant creek.

Mr. Bower, to authorize Mariah E. McCall, administratrix of R. R. McCall, late sheriff of Caldwell county, to collect back taxes.

SPECIAL ORDER

for this hour was then taken up, it being an act to incorporate the town of South Mills, in Camden county, and passed second reading.

CALENDAR

was then taken up, and the following bills were disposed of as follows:

Mr. Page moved to reconsider the vote

by which the Wake county stock bill failed to pass its second reading.

Mr. Powers, of Cumberland, moved to lay that motion on the table.

The motion to table was lost.

The motion to reconsider prevailed and the bill was withdrawn.

To incorporate the town of Maiden, in Catawba county, passed third reading.

To enable Cumberland county to build a free bridge across the Cape Fear river, passed third reading.

To authorize Tyrrell county to levy a special tax. Passed its third reading.

To incorporate town of Ferry. Passed its third reading.

Mr. Crouse moved to reconsider the vote by which the bill relating to the township lines in Lincoln county were laid upon the table. The motion prevailed.

Mr. Crouse called the previous question, and Mr. Thompson moved to lay that motion on the table. The motion to table prevailed.

To regulate transcripts on appeals. Passed its third readings.

To repeal the act making the killing of live stock by the cars indictable.

Mr. Crouse said: This is a question in which my people have an interest; and I desire to say that I do not see why such great interest is manifested here to relieve the railroads, when I have never heard of any complaint by the railroad authorities as to the workings of this law. As the law is now all lawsuits are avoided. If this law is repealed, then all suits for the killing of stock will have to be brought in the Superior Courts, requiring an attorney, and a loss of time, which will cost more than their stock is worth. Our people do not want lawsuits with railroads, and I do hope this bill will not pass.

Mr. Ray spoke against the bill.

Mr. Ray moved to table, which was carried.

Mr. Crouse moved to reconsider and to lay that motion on the table, which was carried.

To amend and re-enact chapter 158, laws of 1881. Relates to the New River and Danville Railroad Company. Second reading.

To build a Governor's Mansion.

Mr. Holt explained the bill.

Mr. Stanford hoped, as a North Carolinian, that this bill would pass, and give North Carolina what every other State in the Union had.

Mr. Powers, of Cleveland, was in favor of the bill, but wished to know what the cost would be.

Mr. Wilcox hoped the bill would pass, and that the old mansion would be sold, so that people would stop calling it the mansion, for he was ashamed of it.

Mr. Robins thought that while the bill

did not appropriate anything, yet it necessitated an appropriation for other purposes. He thought we ought to be cautious how we voted or appropriated the state's property for any purposes, and spoke of the condition of the State library and other State interests that needed money.

Mr. Holt was in favor of economy, as much so as any man, but did not believe in being penny wise and pound foolish. No one wanted a Governor to be put down in a twenty dollar boarding house, where, when you wanted to see him out of his office hours you have to get an officer with a search warrant to hunt him out.

Mr. King opposed the bill, because he thought it foolishness to build a \$20,000 or \$30,000 mansion for the Governor to live in on his present salary; that if we were able to pay him what we ought to he would be in favor of the bill.

Mr. McLoud said it was not right to make the Governor board in a second rate hotel. That he did not know but what he might be called upon as some other one in this House to make the sacrifice of being Governor in '84. That if he took it and had to board he should be waited upon and spoiled to death if he lived the term out. He hoped the bill would pass.

Mr. Sutton thought this a matter of magnitude; he was certain that he would never be Governor from the vote of 1880. That we ought to build the new Mansion and if the gentleman from Buncombe became Governor, he was a friend of his, and was certain he would get a position under him. (Great laughter.) He said that the gentleman insinuated that he did not board at a first-class hotel, and he was certain of one thing, that he, (Sutton) would never get the chance to board at the same place. He hoped the bill would pass.

The bill then passed its third reading; ayes 86, naves 17.

To amend the charter of the town of Lexington, passed its third reading.

To amend chapter 135, laws of 1879, passed its third reading.

To amend chapter 25, laws of 1880, passed its third reading.

To establish a mortuary table, passed its third reading.

A MESSAGE

Was received from the Governor transmitting a communication from the trustees of the University.

Mr. Peebles moved to appoint a committee to make recommendations to the Legislature, of two on the part of the Senate, and three on the part of the House. Adopted.

CALENDAR (resumed.)

To incorporate the town of Palmyra, in Halifax county, passed its second reading. The House then adjourned.

NIGHT SESSION.

The following bill passed second reading: to incorporate town of Stanton.

The following bills passed third reading: for relief of Mrs. Elizabeth Pratt; to amend act incorporating Biddle Institute; to establish dividing line between Clay and Cherokee; prohibiting sale of liquor near certain churches in Caldwell; to incorporate town of Sharpsburg; to require railroads to keep up cattle guards; to prohibit sale of liquor near certain churches in Mitchell county.

The following bills were tabled: To submit the question of the sale of liquor to the voters of Statesville; to establish 12 judicial districts; to repeal the law in relation to the sale of liquor near Wake Forest College.

The following bills were introduced: To incorporate the Carolina Wharf, Warehouse and Compress Company.

SENATE.

THIRTY-EIGHTH DAY.

THURSDAY, February 15.

Senate called to order at 10 o'clock.

PETITIONS.

Mr. Webb, against felling trees in Beaver Dam creek, in Cleveland county. Also petitions from citizens of Rutherfordton against repeal of the local option law.

Mr. Neill, from citizens of Yancey, asking relief for the blind of the State.

Mr. Eaves, from citizens of Rutherfordton, asking for repeal of local option law.

Mr. Graham, from citizens of Laurinburg, asking for repeal of the purchase tax.

BILLS.

Mr. Linney, bill to encourage the building of a railroad from some point on the Western North Carolina Railroad via Taylorsville, Wilkesboro and Patterson to the Virginia and Tennessee line.

Mr. Goodwyn, bill for increasing number of jurors in Halifax.

Mr. Black, bill to authorize and instruct the Treasurer of the State to pay to the Treasurer of Moore county amount due said county, for maintaining outside lunatics during the year 1877.

Mr. Morehead, a bill to amend chapter 234, laws 1881, with petition from citizens of Guilford and Alamance, asking a prohibitory law in two miles of Mt. Pleasant Male and Female School.

Mr. Dortch, a bill to amend the charter of the city of Goldsboro.

Mr. Webb, a bill to prevent the felling of trees, &c., in Beaver Dam creek, in Cleveland.

Mr. Toon, by request, a bill to incorporate the Acme Manufacturing Company.

Mr. Payne, by request, bill to amend chapter 33, private laws of 1881.

Mr. Pemberton called up bill to incorporate the Yadkin Mineral Springs Academy,

in Stanley county, which passed third reading and was ordered enrolled.

Mr. Evans, bill for the benefit of the farmers in Caswell.

Mr. Pinnix called up the bill allowing charter to the Thomasville and Silver Valley Railway Company, which passed its third reading.

On motion the unfinished business of yesterday went to the calendar and the special order came up, being the bill for creating a railroad commission.

Mr. Pinnix asked attention that the minority bill would come up first.

Mr. Dortch thought differently, the first thing was to perfect the original bill. There was a scattering discussion as to which bill should have the preference. Mr. Pinnix and Mr. Clarke, referring to Barclay's Digest and contending that by all parliamentary practice the minority should be first considered. Mr. Pinnix said it was so in the House and had been the practice in the Senate.

Mr. Dortch denied that it ever was the practice in the Senate, and based his decision on the general principles of parliamentary law.

The chair held that the bill recommended by the minority of the committee should have been presented as a substitute for the bill of the majority, this not having been done, he was of opinion that the question was first as to pending amendments to the majority bill; this latter point, however, was true in law, even if the substitute was pending.

The majority bill was taken up, and Mr. Dortch spoke to amendments, the first being to provide an expert for the commissioners for inspection purposes, and for the railroads to carry them free when on official business; he was for making the clerk's salary eighteen hundred instead of twelve hundred dollars, so as to secure an expert in the freight business; he was for striking out section 16, which provides that the commissioners may prescribe a time schedule for passenger trains on all railroads in this State. (Here Mr. Pinnix from his seat, said that everybody else was in favor of striking that out.) Mr. Dortch said he was glad to hear that such was the mind of the Senate. He then spoke briefly to the main bill, saying he was in favor of adopting the majority report, and succinctly giving his reasons therefor. As to the salary paid the commission, he said, that a railroad president had told him they would rather give ten thousand dollars a year and secure a competent man, than fifteen hundred a year and get a bad one. Mr. Dortch said he should say no more, as he did not believe in making speeches, and thus consuming the working time of the Senate.

Mr. Purnell took the floor and spoke of the legal inability of the Legislature to dis-

point a commission that would prove of any real use. The tariff of rates and of fares was the only thing material to be altered or restrained and the Legislature was precluded from this. He had exploded the minority report as presented by the Senator from Davidson, and now he would turn to the majority report, which was but little better, not worth the paper it was printed on, and a very poor article of paper at that. He dissected the sections as to the clerks and the salaries. This railroad commission looked like they were putting up a can of condensed milk for somebody, a sugar plum for some pet. Shades of Gaston defend us! Ruffin hard at work, and the other Supreme Judges at only \$1,500 a year, and these gentlemen at a salary of three thousand a year to do nothing. He spoke at some length, referring to the "fancy" provisions of the bill.

Mr. Pemberton said this railroad commission was all for itself and nothing for the people. It reminded him of the little boy with a sore toe, who met another little boy with three red apples in his hand. Said the first little boy: "John, if you'll give me one of your red apples I'll show you my sore toe." [Laughter.] He did not believe there was any necessity for a commission; he did not believe that railroads ought to discriminate, but he had heard of no discriminations by any roads that we had control over. If we can't regulate the freights, let it alone. If we can regulate it by legislation, then do so, but don't pass this commission if it is not to be of material benefit to the people. Why, it would sound very funny to his people, these gentlemen getting three thousand a year for doing no more than this bill provides, and it would take a long time to explain it to them. He saw gentlemen on the other side smile, he knew if this commission should prove a flash in the pan, as he feared it would if thus created, that there were some men mean enough in North Carolina to hold the Democratic party responsible for it. (Laughter.) He was in favor of regulating freights and passenger tariff, but this bill did not do it. He made the point that to tax the railroads alone for the expense of the commission was in violation of article 5 of the constitution.

Mr. Womack said he thought differently from the Senator from Wake. The people demanded the appointment of this commission. He gave cogent reasons for not adopting the provisions of the minority bill.

The Senator from Davidson was pleased to say of the majority report that in it the people had asked for bread and they were given a stone. He would say if the provisions of the minority report were adopted the people would ask for bread

and be given an indigestible crust, they would ask for fish and be given a bone that would stick in their throats the rest of their lives. He held that on all roads that had maximum rates the Legislature was empowered to prevent discrimination.

Mr. Clarke said if the Senate passed a law, pass one that had some power in it. They might as well erect a golden statue and place it in front of the capitol with the words written on it, "I am the railroad commission of North Carolina," as a commission as much shorn of power as this majority bill proposed to create. He spoke earnestly and at length against the bill and in favor of the minority report.

Mr. Ramsay moved to postpone the question and further discussion to next Tuesday and make it special order for 11 o'clock that day. The motion prevailed.

Message received from the Governor, informing the Senate of vacancies on the Board of Trustees of the University, and suggesting a committee for suggesting suitable names for the same. Messrs. Hill and Strayhorn were appointed as the committee.

House message proposing a joint conference on a prohibition bill, "three miles church clause" for Madison county. Mr. Ebbs said he did not think when he canvassed Madison in the prohibition campaign that he would ever find a prohibitionist there, as the member in the House was, opposing a clause prohibiting the sale of liquor in three miles of a church, as that member was now. The Senate concurred in the proposed conference.

Mr. Purnell, bill to authorize the commissioners of Wake to levy a special tax.

Bill for establishing a graded school at Monroe, in Union county. Passed its second reading.

Bill to incorporate Globe Academy, in Caldwell county. Passed its third reading.

Mr. Webb moved that Mr. Watson's road bill, and the bill of Mr. Alexander relating to roads and highways, be made the special order for next Wednesday at 12 o'clock. Ordered.

Bill to amend the charter of the city of Newbern, passed its second reading—yeas 24, nays 9.

Adjourned.

NOTE.—On the special order for the bill electing school committeemen yesterday, Mr. Dotson was reported as saying he could not see that it was unconstitutional. This was a mistake, Mr. Dotson said nothing on the bill, it was Mr. Lovill who said it, and the reporter meant to have reported it Mr. Lovill at the time.]

HOUSE OF REPRESENTATIVES.

THURSDAY, February 15, 1883.

The House met at 10 o'clock, Speaker Rose in the Chair.

PETITIONS

were introduced as follows:

Mr. Liles, for the repeal of the local prohibition law of Polkton, Anson county.

Mr. Glenn, from Vance county, against the levying of a special tax.

Mr. Williamson, from liquor dealers in Columbia county.

Mr. Montgomery, from liquor dealers in Vance county.

Mr. Patrick, from Tyrell county, concerning local prohibition.

Mr. Hardy, from Carteret county, concerning Dutch nets.

Mr. Byrd, from Yancey county, relating to the sale of liquor in a certain locality in Union county.

Mr. Thompson, from the town of Richland, asking that the charter be amended.

Mr. McCurry, relative to the appointment of magistrates.

BILLS

were introduced, read, passed their first reading and referred as follows:

Mr. Smith, to provide for the working of the public roads of Wayne county by taxation. Railroads, post roads and turnpikes.

Mr. Byrd, to authorize Yancey county to pay certain teachers. Finance.

Mr. Stewart, relative to the State settling with Harnett county. Finance.

Mr. Temple, to prevent obstructions to Neuse river. Propositions and grievances.

Mr. Patrick, relative to the sale of liquor near certain churches in Tyrrell county. Propositions and grievances.

Mr. Bunn, concerning fences. Propositions and grievances.

Mr. Johnson, of Johnston, to prevent the obstructing of Swift and middle creeks. Propositions and grievances.

Mr. Tate, to establish a new county by the name of Lee. Propositions and grievances.

Mr. Worthington, to amend the charter of the Granville Railroad Company. Internal improvements.

Mr. Hardy, to establish a graded school in Beaufort. Education.

Mr. Green, of New Hanover, to amend chapter 141, laws of 1881. Education.

Mr. Overman, for the advancement of the mining and mineral interests of North Carolina. Agriculture, mining and mineral.

Mr. McAllister, for the protection of farmers of this State. Agriculture, etc.

Mr. Brown, to incorporate the town of Smithfield. Corporations.

Mr. Harris, of Davidson, to incorporate the Baltimore Gold and Silver Mining and Smelting Company. Corporations.

Mr. Johnson, of Craven, to incorporate the Newbern Star Band. Corporations.

Mr. Thompson, to amend chapter 8, laws of 1880. Corporations.

Mr. Ray, to incorporate the town of Franklin, in Macon county. Corporations.

Mr. Williamson, for the protection of land owners. Judiciary.

Mr. Standford, to regulate partition of real estate of tenants in common. Judiciary.

Mr. McCotter, to amend chapter 354, laws 1881. Judiciary.

Mr. Newell, to amend the law of laborers liens. Judiciary.

Mr. Forbis, to allow the qualified voters of Guilford county to choose their own form of county government. Judiciary.

Mr. Bailey, of Aecklenburg, by request, to amend chapter 157, laws of 1868-'69. Finance.

Mr. Sherrill, to amend chapter 24, private laws 1881. Calendar.

Mr. Strudwick, to prohibit the sale of liquor near a certain church in Durham county. Propositions and Grievances.

CALENDAR

was taken up and the following bills discussed as follows:

Resolution instructing members in Congress to secure an appropriation for Bay River and to bill a light house.

Mr. Bower said in the light of recent experience I think it wise for us to let River and Harbor bills and resolutions severally alone. The people of the U. S., not long since sat down upon our Congress for opening up rivers, and improving fish ponds. He hoped the House would sit squarely down on the resolution.

The resolution was further discussed by Messrs. Overman, cLoud, Tate, Sutton and others after which the resolution passed third reading.

SPECIAL ORDER

being a substitute for an act to repeal a portion of chapter 117, laws 1879. Tabled.

CALENDAR (resumed.)

Mr. Powers, of Cumberland, moved to take up the contested election case of Moore vs. Williams from Granville.

Mr. Wilcox, moved it be made the special order for to-morrow at 11 o'clock.

Mr. Holt moved to amend by making it the special order for to-night at 7:30 o'clock, which was adopted.

To incorporate the town of Sharpsburg. Passed its third reading.

MESSAGES

were received from the Senate informing the House that the Senate had passed the following bills:

To amend the charter of the town of Kings Mountain.

To quiet titles to real estate.

To change the time of holding the courts of the ninth judicial district.

To establish graded schools in Enfield, N. C.

Relating to Mt. Holly, N. C.

To provide for the sale of the State's interest in the Cape Fear and Yadkin Valley Railroad.

CALENDAR (resumed.)

To incorporate the town of South Mills, in Camden county, passed its third reading.

To re-enact and amend the charter of the Danville and New River railroad, passed its third reading.

SPECIAL ORDER

For this hour was taken up, it being an act to amend chapter 274, laws of 1876-'77, informally passed over.

CALENDAR (resumed.)

To incorporate the town of Palmyra, in Halifax county, passed its third reading.

To incorporate the Hoffman and Troy railroad company.

Mr. Robins moved that the bill be printed.

Mr. Strudwick moved to amend by making it the special order for to-morrow night at 8 o'clock, which was carried.

To authorize Caldwell county to offer a bounty for killing certain predatory animals, passed its third reading.

To empower McDowell county to compromise and compute the debt of McDowell county. Second reading.

To change the time of holding the courts in the counties of Surry and Stokes. Third reading.

To incorporate the town of Stanton. Third reading.

To amend chapter 60, laws of 1876-'77. Third reading.

To establish graded schools in Kinston, N. C. Second reading.

To amend section 3, chapter 234, laws of 1881. Omnibus prohibition bill. Third reading.

To incorporate the town of Sassafras Fork. Second reading.

To authorize Cabarrus county to levy a special tax. Second reading.

To allow clerks of Superior courts fees in certain cases. Tabled.

Adjourned.

NIGHT SESSION.

House met at 7:30 p. m., Speaker Rose in the chair.

CALENDAR

was taken up and a bill to regulate the hunting of wild fowl passed third reading.

THE SPECIAL ORDER,

the election case of Moore vs. Williams, from Granville, was taken up.

Mr. Forbis submitted the majority report for the committee, which stated that Moore was duly elected and should be seated in place of Williams. Mr. cLoud and Mr. Stanford tendered a minority report, which stated that Mr. Williams should retain his seat.

Speeches in favor of the minority report were made by Messrs. cLoud, Stanford, Bunn and others.

Speeches in support of the majority re-

port were made by Messrs. Holton, Green, of New Hanover, and others.

A vote was taken at a late hour, resulting in the adoption of the minority report; ayes 49, nays 48.

HOUSE OF REPRESENTATIVE.

THURSDAY EVENING, February, 15.

ELECTION CASE.

Moore vs. Williams, from Granville, Mr. Forbis for the majority of the committee reported in favor of Moore.

Mr. McLeod in behalf of the minority of the committee submitted a report and the following resolution:

Resolved, That A. H. A. Williams, sitting member from the county of Granville, is entitled to retain his seat upon this floor.

Mr. McLeod spoke at length in favor of the resolution. He sustained the minority report throughout. The Brassfield vote ought to be counted. The people had voted there, and their ballots ought not to be rejected because of any technicality. The House must seek to arrive at the will of the voters and give effect to that will when well ascertained. This was the first principle underlying popular elections. The vote of the Brassfield box ought to be counted. When counted it changed the aspect of the case, and gave to Mr. Moore an apparent majority of twenty-one. At Fishing Creek there were seven men allowed to vote who voted for Moore. The point in this case was were they entitled to vote in Granville county? Were they residents of Granville county or did they live in Vance? The evidence to his mind was that they lived in Vance county. He recounted the evidence at length, and came to the conclusion that these votes of these men had been improperly counted for Moore. Rejecting their votes, Moore had but 14 votes on the face of the returns. Coming then to the Tally Ho box he detailed the evidence in relation to the voting there. Stickers were used. Roberts, a witness, had declared that he had prepared fifty or more tickets by pasting stickers with the name of A. H. A. Williams over that of James I. Moore. He had declared that many of these tickets were voted. The evidence was that sticker tickets were voted. Some of these stickers fell off in the box. They could only have gotten there, according to the evidence, by having fallen off from the ballots on which they had been pasted. That was a point in the case. Considering the case as a juror, sworn to try it on the evidence, he had felt bound to say that under the evidence these stickers had fallen from the ballots and had become separated in the ballot-box. The voter had voted. He had expressed his will. Shall we give effect to that will? Shall the House count the

ballots as cast by the voters; that was the question. For himself he entertained no doubts. He was constrained by the evidence to say that the contestant had not made out his case. The sitting member was in. He was entitled unless the contestant made out a better case. This the contestant has failed to do. Under any aspect of the case Williams was elected according to the lawful ballots cast by from one to six votes. There could be no escape from this conclusion. He therefore sent forward the resolution to that effect.

He clearly and concisely showed wherein Williams was entitled to his seat; the resolution ought to be adopted.

Mr. Holton said he was one of the committee who signed the majority report. That the committee had carefully investigated the case, by hearing the evidence, and that after considering the same had by a majority of six to two votes arrived at the conclusion that Jas. I. Moore was entitled to his seat on this floor. That there were four questions before the committee, viz: First, Should Brassfield box be counted? The committee, after having carefully considered that part of the evidence, decided that it should be counted, which gave Moore a majority of 21 votes at that box.

Second. Should the votes of certain voters, whose names were on the old registration book, but not brought forward on the new book, be counted. The committee decided not to count them, which left Moore still 21 votes ahead, and Williams with that number to overcome.

Third. Should the seven votes in Fishing Creek township be thrown out because it was alleged that they lived in Vance county. The committee decided that the evidence as to the line between Granville and Vance was not sufficient to justify them in saying that these parties lived in Vance county, so they did not throw these votes out, and that left Moore 27 votes ahead; that the evidence as to whether they lived in Vance or Granville was merely hearsay, and that therefore the committee had decided not to consider it, and hence they had not thrown these seven votes out.

Fourth was the Tally Ho question of stickers. The minority claimed seven votes at the Fishing Creek box and then it would take fifteen more to enable the sitting member to retain his seat and they claimed them at the Tally Ho box because there were fifteen stickers in the bottom of the box. That the votes counted for Moore were on the regular ticket and the question before the committee was how could they take from Moore these votes on a regular ticket and give Williams these stickers votes that simply had his name on them and nothing more. That the only evidence as to whether the stickers had been placed

over the name of Moore was the evidence of the "nigger Roberts" that he had put stickers over the name of Moore; and that of Jones, that when ballots came out of the box there were some stickers over Moore's name. That if the evidence of the nigger Roberts was correct then Moore's vote ought to have been below that of Jenkins', whereas it was in one vote of it, which showed that the stickers were over either the name of Jenkins or some other Republican at this box. That the nigger Roberts swore that he voted five men who placed these sticker over Moore's name, and Jones swore that some of that kind came out of the box. That these loose stickers ought not to have been counted at all, and that as they were counted for Williams he got more than he was entitled to, and that there was no reason why the number of these loose stickers should be subtracted from Moore's vote. That in view of these facts the majority of the committee were of the opinion that Moore was elected by a majority of twenty-one votes. He did not see how any one could arrive at any other conclusion.

Mr. Stanford said that the gentleman from Yadkin (Mr. Holton) had given but one argument to show that the majority report should be adopted, that of six to two. That the old idea of eight to seven seemed to be the burden of his thoughts and remarks. He had spoken of this colored man as "that nigger Roberts" some twenty or thirty times; but if Roberts' testimony had been in favor of Moore he would, in the gentleman's opinion, be the purest man on earth. The testimony shows that Roberts told the truth. Roberts said he placed the stickers over the middle name on the Republican ticket, and the evidence showed that was the name of Moore. He was satisfied that Roberts made no mistake, for if there were anything on earth that a colored man was particular about it was his vote. That suppose Roberts had been a Republican and was in the Republican convention; that men often changed their political affiliations—and that we had living examples in the Liberals on this floor. The testimony of the Republican (Mr. Jones) showed that Roberts told the truth. That Jones said that when certain colored men came up to vote that it was said, "Here come some more Williams stickers;" that they voted the Republican ticket with "Williams stickers" over the name of Moore. Hence these stickers must have gone in there over the name of Moore, and he did not see how any man could say other than that Williams was elected. Jones was a poll-holder and saw the votes placed in the box, and if there had been any illegal votes put in he would have known it. Roberts was driven away from the Tally Ho box, and the evi-

dence showed, beyond doubt, that stickers were voted at that box for Williams over the name of Moore. That seven men who voted for Moore at Fishing Creek were residents of Vance county and not entitled to vote in Granville. Mr. Hobgood had sworn that he visited them at their homes and that he knew the line, and that they lived in Vance county. That all the evidence taken together showed that Williams was elected by from one to two votes. If the statements of Roberts and Jones were untrue, why did not Moore disapprove them. He was satisfied that Williams was elected and would advocate it, even if he stood alone in the matter.

Mr. Green, of New Hanover, wished to do no man harm. He thought there was but one feature in the question, that of these stickers found separate and loose in the box. In his mind loose stickers ought not to be counted against the regular tickets placed in the right box which, in law, should be counted. It was plain that these stickers should not be counted, for there was on the ticket of Moore no evidence of mutilage or erasure.

Mr. Bunn said that it was the duty of this House to ascertain the will of the people of Granville county and to carry it out. When the voters pasted a Williams' sticker over the name of Moore, they intended those votes for Williams and not for Moore. He offered as a part of his remarks affidavits which showed clearly the line between Vance and Granville, and that seven men who voted for Moore in Fishing Creek lived in Kittrell's township in Vance county. Mr. Bunn then said that no man after having taken the solemn oath of office as a member could say that Moore ought to have those votes. He then offered an affidavit as a part of his remarks, showing that at the Tally Ho box Williams' stickers were voted over the name of Moore, and that when counted out there were fifteen or twenty of these stickers having the appearance of having come off, and that about the same number of Moore's tickets appeared as though they had been smeared over with mucilage.

Mr. Bunn said that the question of the gentleman from Yadkin as to why the tickets if smeared had not been observed to be so when counted, was answered by this evidence, and that he was surprised that the gentleman who had been several years in politics should be so ignorant of the habits of our people in elections as to inquire why the tickets were not produced. That the reason the tickets could not be produced in evidence was that as soon as they were counted they were torn up in the presence of the poll-holders by one of them. That these men were sworn officers, poll-holders, and no ticket could have gotten in the box without their knowledge.

He was satisfied that A. H. A. Williams was elected, and ought to be retained in his seat; that the burden of proof was on Jas. I. Moore, to show that he (Moore) was elected, and not Williams, and that he had not succeeded in making out his case.

Mr. Bunn made a powerful presentation of Mr. Williams case, and set it in strong terms before the House.

Mr. Holt said it was difficult to make stickers stick on print; and gave as an illustration the difficulty he had frequently had in sticking stamps on bank checks when there was printed matter on them; said he had some personal knowledge of these stickers in the last campaign; that his friends had used them, and that he gave a man a bottle of mucilage to stick them on with, and that it was a hard matter to make them stick even then.

Mr. Simmons though a lawyer would not speak of this matter as a lawyer, but as a juror. It was clear to his mind that the case of Williams, the sitting member, had been made out. That if there was a doubt he should give the Democrat the benefit of it. But there was no doubt, for Williams' case was already made out. The testimony showed that at Tally Ho Roberts was using these stickers, and that when voted they were over the name of Moore; that they went into the box in that way, and that when counted they were separate, which showed that they came off in the box. The evidence pointed to the only conclusion possible, that Williams was elected.

Mr. Wilcox said: I have objected to the evidence that has been so adroitly wired into this case by the gentleman from Nash. The committee, who have had this matter of election contest before them for two long weeks, have used every effort in their power to arrive at the entire facts, regardless of political bias, and as to the accumulation of evidence we have given the widest range to the gentleman from Granville, and have heard his evidence patiently. He finally closed his case, and announced to the committee that he was satisfied with his evidence as introduced. The contestant also closed, and the committee retired to deliberate, in which a decision was arrived at by the majority of the committee, that James I. Moore was undoubtedly entitled to his seat. After this decision Mr. Williams again approached the committee and asked that the case be again reopened in order that he might introduce new evidence to sustain his position. But the committee, six to two, decided that Mr. Williams was trifling with the committee, and therefore decided not to allow the case to be reopened. And, to-night, sir, when this House decides to allow the gentleman from Nash to introduce this exparte evidence as a part of his speech, to the in-

jury and prejudice of the contestant's case, I feel it my duty to raise an objection to this unheard of proceeding. If this House of Representatives is going to allow this new evidence to have any weight in its decision upon the case, I think that it would be great injustice not to allow J. I. Moore time to procure evidence of rebuttal, and upon that I move that the case be postponed until Wednesday next at 11 o'clock.

Mr. Bunn was opposed to the motion to postpone; the gentleman from Ashe knew of the affidavits he introduced and of their contents. That the consideration of this matter had been pressed upon the House by that side. That the men who made the affidavits were here ready to testify before the committee, and were doubtless excluded from so doing by the vote of the gentleman from Ashe, who now asked to postpone, saying it took him by surprise.

Mr. Bailey, of Mecklenburg, could not see how any gentleman could or would be prejudiced by affidavits submitted as a part of the remarks of any gentleman. He was opposed to postponing.

Mr. Cloud called the previous question, and the call was sustained.

Mr. Wilcox's motion was lost by a vote of 33 to 64.

Mr. Nixon did not vote on any of these questions, as he was paired with Mr. Cowell.

Mr. Stanford was paired with Mr. Powers, of Cumberland, and he did not vote.

Mr. Bailey, of Mecklenburg, stated that he was related to Mr. Moore by affinity, and if there was no objection he would not vote on any of these questions. There was no objection offered to his not voting.

The vote upon the resolution of the minority of the committee retaining Mr. Williams were as follows:

YEAS.—Messrs. Abbott, Bailey of Mecklenburg, Barrett, Baum, Beall, Bennett, Brown, Bunn, Byrd, Crouse, Fulton, Green of Franklin, Hardy, Harris of Davidson, Holt, Johnson of Johnston, King, Lawrence, Liles, Callister, McCotter, McCurry, McLoud, Marsh, Matheson, Mathis, Overman, Patrick, Peebles, Posey, Powers of Cleveland, Ray, Reid of Gaston, Reynolds, Riggs, Robins, Sherrill, Simmons, Stewart, Springfield, Strudwick, Tate, Tomlin, Walker, Williams of Sampson, Williamson, Wilson, Wood, Worthington—yeas 49.

NAYS.—Messrs. Baker, Ball, Belcher, Bower, Bridges, Bruce, Bryan, Cullock, Cain, Candler, Covington, Cheek, Eaton, Forbis, Frayser, Green of New Hanover, Grissett, Hamilton, Harrison, Hayes of Robeson, Hayes of Swain, Henderson, Hewlin, Holton, Jenkins, Johnson of Craven, Landreth, Leary, Lenoir, Lineback, Mitchell, Montgomery, Myers, Newby, Newell, Phillips, Pittman, Poe, Proctor,

Fruitt, Sandifer, Speller, Steed, Stokes, Sr. Jon, Temple, Waddell, Wilcox—nays 43.

Mr. Bower spoke at length in explanation of his vote. He professed to be as ardent a Democrat as any in that hall, having inherited a goodly amount of pure unadulterated Democracy. His personal and political sympathies were all with Mr. Williams, but from the evidence that came before the committee he was forced to the conclusion that Mr. Moore was duly elected. He could not stultify himself by going back upon his record in the committee room. Ever since the memorable election of 1876, he had hated the name of a returning board or anything that looked like one. He hoped no uncharitable inference would be drawn from this remark. He did not mean to insinuate that Mr. Williams had set up a returning board, but the face of the returns elected Mr. Moore, and the figures had been so manipulated and the vote so eliminated as to make a *prima facie* case for Williams, and upon that case the certificate was issued. He should rend party ties, and fling party considerations to the wind, to the end that substantial justice might be done.

Mr. Wilcox said: I arise to a personal privilege. I desire to ask permission to retire from the committee on privileges and elections. I am prompted to this action from the fact that the action of this House upon the case of Moore against Williams is sufficient evidence to the majority of the committee "that it is useless for them to waste time from other important business entrusted to their care by home constituents," by longer attendance upon these contested election cases. The voices of two men on this committee have been heard and ratified, whilst six voices equally competent to render a verdict correctly have been disregarded and mercilessly overridden, I have done all in my power to have justice done in this case; whether it has or has not been done rests now with the people of North Carolina. My duty is to submit to the majority of this body, which I do; but, Mr. Speaker, I do it with a mental protest, and again ask that this House release me from further action upon the election committee.

Mr. Bunn moved that Mr. Wilcox be excused from the committee on privileges and elections; and that he be excused also from keeping the conscience of other men.

On motion of Mr. Holt, the House adjourned pending the consideration of this matter.

[NOTE.—We are requested to state that Mr. Bledsoe, of Wake, was paired with Mr. Turner, of Moore. If Mr. Turner had been present, Mr. Bledsoe would have voted for the contestant, Moore.]

SENATE.

THIRTY-NINTH DAY.

February 16.

The Senate was called to order at 10 o'clock.

PETITIONS.

Mr. Pemberton, from Stanley, asking for a stock law; also petition of citizens of Cabarrus, asking for a special tax to complete McAdamized road.

Mr. Costner, from citizens of Lincoln, asking prohibition in one mile of Georgetown school house.

Mr. Evans, from citizens of Caswell, for a stock law. Also a bill for a stock law for the same.

Mr. Toon, from citizens of Robeson, asking repeal of the present rebates on freight.

Mr. Lovill, from citizens of Watauga county, asking for amendment as to law for turnpikes.

Mr. Poole, from citizens of Washington, asking for a special tax.

Mr. Black, from citizens of Rockingham, Richmond county, praying against the passage of the bill to amend its charter.

BILLS.

Mr. Lovill to amend law as to turnpikes.

Mr. Caho, to create a stock law in Pamlico county.

Mr. Linney, to authorize E. R. Stamps, president of the North Carolina Board of Directors of the Penitentiary to make title to certain real estate. Also bill for regulating applications to sue in *forma pauperis*.

Mr. Pemberton, to authorize the commissioners of Cabarrus to levy special tax.

Mr. Hill, petition of citizens of Duplin praying more court facilities.

Mr. Clark, bill requiring county commissioners to provide fire-proof apartments for the records of their courts.

Mr. Ebbs, to amend the act to raise revenue.

Mr. Costner, to prohibit the sale of liquor in one mile of Georgetown school house, Lincoln county.

Mr. Neill, to prevent the felling of timber in certain streams in Yancey county.

Mr. Pemberton called up resolution authorizing the State Board of Education to examine and see if any back pay is due the Rev. C. H. Wiley, and to pay him if there is. Adopted.

Bill to drain Dyker's Creek, in Davidson, passed third reading.

Bill to establish a graded school in the town of Monroe, with amendments, adopted and passed third reading.

Bill to amend the charter of the city of Newbern.

Mr. Clarke spoke against the bill, and moved to indefinitely postpone it.

Mr. Caho said the bill had been thoroughly discussed, and he hoped the motion to postpone would not prevail. He called

the previous question. This cut off the motion to postpone, and the question came up on the passage of the bill. It passed third reading—ayes 21, nays 9.

Bill to amend the laws as to the town of Beaufort, giving it a mayor and eight commissioners.

Mr. Clarke opposed the bill as wrong, because after allowing the people of the wards to elect five commissioners, it allowed these commissioners to elect three others. He moved to strike out that clause.

Mr. Caho said the bill was exactly what the people of Carteret wanted, and as so expressed by their Senator here, and their member in the House.

Mr. Clarke said he spoke for a large number of the people of Beaufort and of Carteret. They had requested him to oppose it.

Mr. Caho said Sheriff Jones, of Beaufort, was now here and he said his people wanted the bill, and no one there was opposed to it save possibly a few colored people.

Mr. Clarke moved to lay the bill on the table.

Mr. Caho called the previous question. The bill passed its third reading.

House bill 169, Senate bill 480, allowing the sheriffs of Rockingham and other tobacco counties until the 1st day of May to settle with the Treasurer of the State. The bill was explained by Mr. Scott, of Rockingham, and favorably commented on by Messrs. Strayhorn and Morehead. Passed its second and third readings.

Bill to incorporate Farmer Island Club. Passed its third reading.

Bill to prevent the obstructions in Northuddy Creek, in McDowell county. Passed its third reading.

Bill to establish a normal school in Boone, in Watauga county. Passed its third reading.

Bill to amend the act establishing the Board of Agriculture, changing its organization to nine members on the board, one from each Congressional district.

Mr. Strayhorn moved to make it special order.

Mr. Pemberton hoped it would be considered now. If we wished the plaudit of the people, "Well done, good and faithful servants," pass this bill—he was opposed to delay.

Mr. Linney asked the pay of these commissioners under this bill.

Mr. Pemberton explained that no man could be a commissioner who had not been a resident of this State three years; that they met only once a year, and received four dollars a day for twelve days during the year. The bill was directly in the interests of the people, no bill this session was more accordance with their demands.

Mr. Richardson spoke in favor of the bill; he said it had been through a course different from any other bill, it had been before

the joint committee, and discussed four different times, from the Governor down, and not an amendment had been offered to it.

Mr. Alexander was afraid the bill sounded the death knell of the Agricultural Department. After the experience he had had as a member of the board he thought they were going the wrong direction to make a change; he thought the true way to effect the change was to strike out the board altogether, and make the commissioner what he ought to have been at first, a responsible party.

Mr. Strayhorn thought the fatality of the bill was, that after the first meeting of the board under this new organization, they would never be able to get a quorum. Just as with the trustees of the University, scattered so all over the State, that they had to have some appointed close to Chapel Hill in order to have a quorum.

Mr. Jones said if left to the intelligent farmers to take a pride and an interest in this matter they would meet here, a practical class of people who knew something about farming, not lawyers, not scientists, and he would venture that in two years we would see the benefit and development of these interests. He spoke of the money the Department had spent for fish, and said he wouldn't give one fat shoat for all the fish they had raised. The system of appointing a board by the Legislature was the intelligent system; it had given us the best class of men for magistrates through the Senator from Orange might smile at his saying so; the system had proved itself. And just so it would be with the Agricultural Department, if the Legislature would appoint good practical farmers from every section of the State on its board.

Mr. Pinnix said he had promised his people that whenever he had a chance to vote for a measure in the interest of the farmer he would do so. Now, this bill is so purely a farmer's bill—introduced by farmers—by a Senator named Farmer, and it being a farmer measure all over, he would cheerfully vote for it. He said some objection had been urged against it because a quorum could not be obtained. In answer to that he said he was willing that farmer members should recommend the members of the board, and then if they did not get quorums to their meetings it was their own fault. He wanted the farmers to have this matter their own way.

Mr. Goodwyn spoke against any amendment. He favored the amendment as it was.

Mr. Scott, of Rockingham, said every body seemed alive with the new era dawning on the State. No department in the twinkling of an eye could rise to its acme. Give this department time. Our trouble in North Carolina seems to be that when a

new scheme is started, and just about the time it gets to running, then, forsooth, because of this thing or that, somebody objects to it and suggests a change, and down the system goes. The department had done some good to his county. There were able, intelligent men at the head of it. And any strike at its foundation now would result in its overthrow. He referred to the fertilizer tax, how it was opposed at first, and yet how successfully it had worked for the State. The best thing we could do for this department is to let it alone.

Mr. Clarke spoke in favor of the bill.

Mr. Linney said this was a splendid bill; it was a farmers' day. Everything had its day, and he was for the bone and sinew, and the copperas breeches, and even the bread and meat of this country having its day. Let all the light be turned on in this matter that could be.

Mr. Strayhorn said he would go for any measure looking to an investigation of the department.

Mr. Webb said he hoped to see the day come when the farmers would all take an interest in this matter. He would like to see them even hold meetings and interchange views on agriculture in their own counties. If he thought this move was really in the interest of the farmers, he would go for it heart and hand, but he believed it a move in the wrong direction, and would prove detrimental to the department and to the agricultural interests of the State, and therefore he should vote against it.

Mr. Womack said he was very much in favor of any measure that would put this department into the hands of the farmers, but if this was a move simply to put one man out and put another in, as the amendment of the Senator from Orange would seem to indicate, then he was opposed to it, but if it was a "bona fide" effort in behalf of the State, then let us adopt it.

Mr. Plack said that he believed the Agricultural Department had been well managed, but his people at home did not think so. That it had been alleged with some degree of truth that the State government had been run by lawyers and politicians; now this was a matter in which the farmers were peculiarly interested, and he was in favor of placing the whole thing in their hands; then if it was not efficiently run they could blame only themselves; that it was intimated that farmers were not competent to manage their own affairs, but it was a mistake, and that they were as competent as any other class to manage their affairs. He hoped they would be fairly and squarely represented in the affairs of the State and that the bill would pass.

Mr. Jones said the effort was to turn out nobody, but simply to lift up the agricultural people who asked relief.

The following amendments were offered to the bill.

By Mr. Cahoon, that all of section 20, after the word "State," be stricken out.

By Mr. Strayhorn, that there shall be no change in the chief officers of the Department of Agriculture for two years after the ratification of this act.

Mr. Lovill earnestly advocated the bill; he thought Senators here had crossed the stream before they got to it, when they reasoned that the farmers wouldn't come here to the meetings of the board; he thought this bill in the interest of the farmers, and any opposition to it was a strike at their interests. He defended the farmers from being lazy as was charged by the Senator from Cleveland.

Mr. Webb replied he had been raised on a farm till he was 19 years old, and no man's heart was more with the farmers than his own, but he did say that some of the farmers of this State had not the spirit of energy and industry they should have, and, *ajc*, it was even so with the professional classes; both were behind in spirit and enterprise. Why, if he should go to the county of the Senator from Watauga, and ask why the farmers did not do so and so, he would be very apt to reply that they were too lazy. No man was more a friend to the farmers than himself.

Mr. Hill said: This is the first time the farmers of North Carolina have demanded any recognition, and it seemed high time that that most important of all interests in North Carolina ought to be recognized. The bringing together of the farmers of every section of the State would have a tendency to centralize our interests and sympathies, and restore to a great extent the shattered State pride. The bill had a tendency to elevate the position of farmers and instill pride into them.

Mr. Dortch called the previous question.

Mr. Cahoon's amendment was adopted.

Mr. Strayhorn's amendment was lost.

Mr. Scott's, of Rockingham, amendment adding the Governor, President of the Agricultural College, and President of the State Agricultural Society to the board, was lost.

The question came up on the passage of the bill on its second reading, on which Mr. Pemberton demanded the ayes and nays, Ordered. Bill passed its second reading, ayes 30, nays 6. Bill passed its third reading.

Bill providing for an additional term for the county of Wayne, passed its third reading.

Bill to incorporate the town of Chadbourn, in the county of Columbus, passed its third reading.

Bill to amend the charter of the town of Asheville, passed its third reading.

Bill to amend the charter of the town of

Henderson, amendments adopted, passed its third reading.

Bill to incorporate the Raleigh Mail Printing and Publishing Company passed its third reading.

Bill to ascertain and liquidate the debt of Bladen county passed second reading, ayes 28, nays none.

Bill to consolidate the insurance laws of North Carolina, amendments adopted, and bill passed third reading.

House resolution that the Treasurer pay to James I. Moore, the late contestant from Granville county, for a seat in the House, his mileage and per diem as a member of the House for forty-four days.

Mr. Morehead said this thing of paying such contestants was of bad precedence and a novelty in North Carolina that should be put a stop to; it was merely opening wide the doors of the treasury and inviting contestants in order to draw a per diem.

Mr. Goodwyn thought the amendment should be adopted; he cited cases in past Legislatures where it had been done.

Mr. Clarke said it had been a fair, close contest, a vote of 48 to 49, the sitting member only holding his seat by a majority of one vote; he thought the contesting member should be paid.

Mr. Womack held the law with juries should be the law with legislatures; a man who had lost his suit, although he had hung the jury twice, had the costs to pay all the same.

Mr. Poole said this gentleman had rendered no service to the State of North Carolina; he could see nothing for which he was to be paid.

Mr. Mebane spoke in favor of the resolution.

Mr. Dortch said he was a member of the Legislature ten years before the war, and in every case every bona fide contestant had been paid, and he knew that in the last six years they had been paid, so he should vote for this contestant's pay, as he believed it was a bona fide contest. If it be desired to change this practice hereafter, let a bill to that end be introduced.

Mr. Pinix said he should vote for it.

Mr. Pemberton also favored it, as the House asked it.

Mr. Caho opposed it.

Mr. Ebbs thought it was nothing more than just to the man who had been here awaiting his trial, and he should vote for it.

Mr. Dortch said he had been informed that a majority of the committee on privileges and elections had reported in favor of the contestant, and he had been informed that had there been a full House last night, the sitting member would have lost his seat; it made no difference with him that the contestant was a Republican; he thought he should be paid.

Mr. Jones said we were acting here as

fair and square men, and it was nothing but it was fair and square that this man should be paid.

Mr. Morehead said he admitted the contestant had a very fair case; one of his commoners had voted to seat him and the other against seating him, but he cared nothing of the politics in this case, he was against the principle, and if the contestant was a Democrat he would oppose it just the same.

A great deal more was said by various Senators for and against the resolution.

Mr. Lovill asked the previous question.

Mr. Morehead asked the yeas and nays on the passage of the resolution. Ordered. Resolution passed its second reading—yeas 33, nays 11; passed its third reading.

Mr. Linney said, in explaining his vote, that though opposed in principle to paying in such cases, he thought from the feeling in the House this must be an extraordinary case—an exceptional one—therefore he should vote for it.

Mr. Burwell, bill to incorporate the town of Garner's Station, in Wake county (by request.)

Bill to repeal the law incorporating the Cotton and Merchants' Exchange in Goldsboro, passed third reading.

Bill to encourage the building of a railroad from some point on the Western Road, between Salisbury and Newton, by the way of Taylorsville and Wilkesboro to the Virginia line, passed its second reading—yeas 27, nays 5.

Adjourned.

HOUSE OF REPRESENTATIVES.

House was called to order by Speaker Rose, at 10 o'clock.

The reading of the journal was dispensed with, except as to the evening session, and it stood approved.

PETITIONS.

Were introduced as follows:

Mr. Newby, from liquor dealers of Pasquotank county.

Mr. Pittman, from liquor dealers of Halifax county.

Mr. Bryan, from Wilkes county, asking aid to build a road.

Mr. Lenoir, from Watauga, asking aid for a road.

Mr. Covington, from liquor dealers of Richmond county.

Mr. Wood, from Lenoir county, asking to be allowed to levy a special tax.

BILLS

were introduced, passed their first reading and were referred as follows:

Mr. Liles, to amend chapter 171, laws 1872-73. Propositions and grievances.

Mr. Strudwick, to amend the charter of Durham. Propositions and grievances.

Mr. Nixon, to protect sheep husbandry in North Carolina. Propositions and grievances.

Mr. Greene, of Franklin, to give Vance county two weeks of court. Propositions and grievances. To establish the county of Piedmont. Propositions and grievances.

Mr. Hardy, to prevent the felling of trees in a certain creek in Craven county. Propositions and grievances.

Mr. Dixon, by request, relative to live stock in Olds township in the county of Greene. Propositions and grievances.

Mr. Williamson, to prohibit the sale of liquor near Mt. Tabor church in Columbus county. Propositions and grievances.

Mr. Covington, to amend the charter of Laurinburg. Corporations.

Mr. Crouse, to amend chapter 58, private laws 1871 and 1879. Corporations.

Mr. Brown, to regulate the manner of locating school houses. Education.

Mr. Williams, of Sampson, to establish a school district in the county of Sampson.

Mr. Wood, to allow Lenoir county to levy a special tax. Judiciary.

Mr. Green, of Franklin, to construct a railroad from Salisbury to the Raleigh and Gaston Railroad. Internal improvements.

Mr. Hardy, supplemental to the act amending chapter 83, of Battle's Revisal. Fish interests.

Mr. Overman, to empower the Governor to offer rewards in capital cases. Calendar.

To authorize the trustees of the State library to elect librarian and for other purposes. Calendar.

The unfinished business of last evening was taken up, it being the request of Mr. Wilcox to be excused from serving on the committee of privileges and elections. Mr. Wilcox gave the same reasons that he gave last evening.

Mr. Proctor asked to be excused from the same committee for the same reasons. Both were excused.

CALENDAR.

Was taken up.

Resolution to pay Jas. I. Moore his mileage and per diem. Upon the third reading of this resolution Mr. Bailey, of Mecklenburg, insisted that Mr. Wilcox should vote.

Mr. Wilcox not being in the bar of the House did not vote.

Mr. Bailey then moved a call of the House, which was ordered.

The roll was then called, and after Mr. Wilcox had answered, Mr. Ray moved that a further call be dispensed with, which was carried. Mr. Wilcox then voted aye on the second reading of the resolution. The resolution then passed its third reading.

THE SPECIAL ORDER

For this hour, being an act to establish a State board for the encouragement of the farming and mechanical interests, and immigration.

Mr. Holt explained the bill.

Mr. Hayes, of Robinson, was opposed to the bill.

The bill was on motion of Messrs. Forbis and Green, of Franklin, informally passed over.

CALENDAR—(resumed.)

To allow McDowell county to compromise and compute its debt, passed its third reading.

To incorporate the North Carolina Fish Oil and Guano Company. Tabled.

Albemarle and Raleigh Railroad bill, passed second reading.

For the better protection of deceased persons. Special order for Tuesday night next at 7:30 o'clock.

To prohibit the sale of liquor in one mile of Long Branch Baptist church, in Robeson county, passed third reading.

To incorporate the Citizens' Trust Company, passed third reading.

Supplemental to prevent live stock from running at large in the counties of Greene and Lenoir, passed third reading.

To incorporate the town of Kill Quick, passed second reading.

Mr. Harris, of Wake, desired to have his vote in the election case of Moore vs. Williams recorded, and stated that when it came up he was unavoidably absent.

Mr. Sutton objected, and it requiring the unanimous consent of the House to allow him to vote he was prevented.

To ascertain the debt of Franklin county, and to pay the same, passed second reading.

To incorporate the Asheville and Burnsville Railroad Company. Passed its third reading.

To incorporate the Baltimore Gold and Silver Mining Company. Passed its third reading.

To amend the charter of Greensboro. Passed its third reading.

The Senate amendment to the act to prohibit the use of drift nets was concurred in.

MESSAGES

was received from the Senate informing the House that the Senate had passed the following bills:

Senate amendment to the act to incorporate the Globe Academy. Concurred in.

To provide for an additional term of the Superior Court for Wayne county. Passed its third reading.

From the Governor, transmitting papers. Sent to the Senate with the proposition to print.

Mr. Holton moved that the chair be relieved from filling the places made vacant on the committee of privileges and elections by Messrs. Wilcox and Proctor being excused. Carried.

The House adjourned.

[NOTE.—In our report of yesterday Mr. McCotter should have been reported as speaking in favor of the resolution relative to a light-house at the mouth of Bay river in Pamlico county.]

NIGHT SESSION.

The following bills passed third reading:
To incorporate the Hoffman and Troy Railroad.

To amend the charter of the Granville Railroad.

Repealing local prohibitory laws in Person county.

To punish the felling of trees in South Yadkin river.

Mr. Bailey, of Mecklenburg, obtained leave of absence on account of being summoned as a witness before court.

SENATE.

FORTIETH DAY.

SATURDAY, February 17.

Senate called to order at 10 o'clock.

Prayer by Dr. Marshall.

PETITIONS.

Mr. Toon, of citizens of Columbus county, asking that the office of County Superintendent of Public Instruction be abolished.

Mr. Pemberton, of certain citizens Stanly county, against the stock law.

BILLS.

Mr. Womack, to prevent unsuccessful contestants before the Legislature from receiving mileage and per diem.

Mr. Caho, concerning pay of contestants in contested cases. Also resolution on adjournment.

Mr. Clarke, in relation to roads and cartways.

Mr. Loftin, for the benefit of poor men, by repealing the homestead law. Also bill to restore to the people of the Eleventh Senatorial district the right of self-government.

Mr. Poole, to provide a room in the Agricultural Department for the sessions of the Supreme Court and also a room for a miscellaneous and Supreme Court Library.

CALENDAR.

Bill to ascertain and liquidate the debt of Bladen county, passed its third reading—yeas 30, nays none.

Bills concerning pilots and pilotage passed third reading.

Bill to establish a stock law in a part of Perquimans county passed third reading.

Act relative to a finance committee in the county of Cleveland passed third reading.

Bill to incorporate the Fayetteville graded school for whites passed second reading—yeas 27, noes 0.

Bill for the improvement of the streets of Raleigh. Empowers the board of aldermen to issue coupon bonds not to exceed in amount fifty thousand dollars, after the matter has been submitted to and accepted by the people. It does not increase the taxes, but continues the present special tax. This bill was introduced by request of the board of aldermen by Mr. Purnell. Passed second reading—yeas 29, noes 0.

Bill to protect oysters passed third reading.

Bill to incorporate the High Point and Randleman Railroad Company passed third reading.

A message was read from the Governor as to the great seal, etc., saying he could find nowhere any record of what the seal should be. All he knew was that the present seal was used by his predecessor. He could not say whether it was the general seal. Ordered printed.

Bill relating to the Caldwell and Watauga Turnpike Company. Passed its third reading.

Bill to incorporate the Cabarrus County Co-operative Association. Passed its third reading.

Bill to protect the interests of the cotton planters of North Carolina. It requires the cotton buyer to keep a memorandum of the amount of cotton they buy and from whom they buy it. Passed its third reading.

Bill to prevent hiring out of convicts on private contracts; substitute from the committee, which was about a copy of the engrossed bill, was presented.

Mr. Womack offered an amendment, "except to prevent laborers' strikes," was accepted.

Mr. Jones wanted to know what were "laborers' strikes?"

Mr. Black saw no use for the bill anyway; only made for the protection of a set of lazy negroes around Raleigh.

Mr. Poole objected to the bill, the argument of the Senator from Wake the other day that a set of men stood around here shivering from cold for want of work wouldn't do, when there was the demand for muscle there always was in North Carolina. A man of muscle who wants work can always get it.

Mr. Jones again spoke against the bill.

Mr. Purnell said it was not only "lazy negroes" wanting work, but white men as well. he belonged to himself in this matter, he asked no electioneers to come here on this floor and instruct him how to vote.

Mr. Linney said to be honest as to the question pertaining to the laborers of this country, the committee thought that they ought not to be placed in competition with the convict labor and with that amendment from the Senator from Chatham providing for convict labor in case of "strikes" he thought this bill a good one.

Mr. Jones, in reply to Mr. Purnell who said it was not so that the negroes here had a hole in the ground that they went into and were fed in times of strikes, read the following:

SENATOR JONES—The information in regard to the collection of laborers in a cellar was on the information of ourselves. Mr. Purnell ought to know that it is true

and we believe he knows it is true.

OCT. COKE,
W. H. BLEDSOE.

This is substantiated by the statement of Thos. Devereux.

OCT. COKE.

Mr. Jones moved to lay the whole matter on the table.

Mr. Purnell asked the yeas and nays. Ordered—yeas 14, nays 16, so the Senate refused to table.

The substitute from the committee was now put to the vote. Senate voted. The chair said it was impossible for him to decide when Senators were paying no attention to the question—only a few voting on each side of the question.

Mr. Pinnix asked to have the substitute read.

Mr. Webb spoke against the substitute; he thought it would be unjust to the tax-payers of North Carolina.

Mr. Loftin asked if the Senator thought it was just to the tax-payers that the labor of the State should be brought in competition with convict labor.

Mr. Webb said he did. Labor was in demand, and he heartily endorsed the gentleman from Martin, who said there was always work in North Carolina for the men who had the muscle and the manhood to do it. He wanted no law for the protection of that "shivering" class spoken of by the Senator from Wake, it was only because they were too lazy to work. If they could not find work to do here, let them come to Cleveland county and they could get it, picking cotton. He wished they had the penitentiary in Cleveland county.

Mr. Loftin spoke earnestly in favor of the bill; he favored the substitute because, as it provided now, the honest labor of the country would not be brought in competition with convict labor; he thought the honest labor in the county of Wake should be protected; there was a current of sentiment here that had actually brought the name of the Chairman of the Democratic Executive Committee to fight this bill. There was much other talk pro and con on the bill. In talking of the price of labor in this State, Mr. Linney said he could go into the Bushy mountains, in his county, and hire men, his equal in intellect, at fifty cents a day, and here it was said that men were hired at sixty cents a day, men able to do good farm work.

Mr. Linney said the statement that labor here was getting sixty cents a day, when good men could be hired at fifty cents, was so much the stronger argument in favor of this bill,

Mr. Purnell took the floor and asked Mr. Jones if he said that he knew of this "hole in the ground?"

Mr. Jones replied that he did not say so, but that his information was merely based upon the communication that he read.

Mr. Purnell said he was ready to measure character with any man that had signed that communication, and all he had to say was, that any statement that he had denied anything which he knew to be true, was a lie and a lie out of the whole cloth. If there was any such place as this "hole in the ground" he had never heard of it before.

Mr. Jones spoke of the communication handed him; it was not handed by any of the gentlemen who signed it in their official capacity, but it was given to him as from citizens, and he had used it, because he understood the Senator from Wake to deny that there was any such thing as "a hole in the ground" here; those gentlemen who signed that communication were gentlemen of the very highest character, and the gentleman from Wake had denounced his informants.

Mr. Purnell said the Senator from Henderson was mistaken; he had not denounced those gentlemen; he had merely said that any statement that he would deny anything that he knew to be true, was a lie.

Mr. Jones said he certainly had understood the gentleman from Wake to denounce these men, and he was glad to hear him say that he had not, as he regretted personalities, and did not think there should be any feeling in this matter.

The substitute was put to a vote and the yeas and nays ordered. Yeas—16, nays 16. Substitute failed for want of a majority. (Mr. Morehead in the chair.)

The question then came up on the amendment to the bill.

The first amendment as to "strikes" was adopted.

The second amendment was as to hiring the convicts to the farms on the depression of farm labor.

Mr. Purnell asked the yeas and noes. Ordered. Yeas 19, noes 13, so the amendment was adopted.

The third amendment, providing not less than 50 cents a day for convict labor, was adopted.

The bill came up on second reading.

Mr. Dortch said he did not understand that under this bill the State did not have the right to work the convicts on its public buildings.

Mr. Purnell asked the yeas and noes on the bill. Ordered. Yeas 15, noes 17, so the bill failed to pass its second reading.

Mr. Purnell here further explained. He understood there was still some impression that he had denounced the gentlemen signing that communication. He had not done so. Two of those gentlemen, Mr. Bledsoe and Mr. Devereux, were his friends, and he had a high regard for Mr. Coke. He had misunderstood the Senator from Henderson, that was all.

Bill to incorporate the Wilkesboro Bridge Company passed third reading.

Bill to incorporate the town of Highlands passed second reading—ayes 27, noes 0.

Bill to incorporate the Baltimore Gold and Silver Mining and Smelting Company passed third reading.

Mr. Morehead, bill relating to contested elections. Prevents any contestant in the future from drawing per diem. Also bill relating to graded schools in Guilford county.

Bill allotting dower, just leaves to the jury to say whether they will allot to the widow in one tract of land or in several. Passed third reading.

Bill to amend the stray law. Passed third reading.

Bill to provide for the working of Whiteville and Wilmington public road in Columbus county. Passed third reading.

Bill providing that a lawyer who presides on the board of county commissioners shall not practice law in that county. Passed third reading.

Bill to incorporate the Enterprise Manufacturing Company in the county of Randolph. Passed third reading.

Mr. Pinnix, petitions of citizens of Davie asking the repeal of certain local prohibition laws, also bill to amend the landlord and tenant act.

Mr. Lovill, bill to prohibit liquor in one mile of Henderson's Chapel in Watauga county, also petition with it.

Mr. Carter, bill to perfect the machinery for counting the votes in the counties of Warren and Vance.

Bill for more courts in Duplin and Lenoir. Passed second reading.

Adjourned.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Speaker Rose in the Chair.

Prayer by the Rev. Dr. Marshall.

PETITIONS

were introduced as follows:

Mr. Williams, from Ransom township, Columbus county, asking the appointment of Andrew J. Swinson as a justice of the peace in said township.

Mr. Landreth, from Alleghany county, asking the repeal of chapter 253, laws of 1881.

Mr. Marsh, from Chatham county, relative to the appointment of justices.

Mr. Tomlin, from liquor dealers of Statesville.

Mr. Byrd, from Yancey county, relative to the sale of liquor in a certain locality.

BILLS

were introduced, passed their first reading and were referred as follows:

Mr. Hardy, to establish the line between the counties of Craven and Carteret. Calendar.

Mr. Bridgers, to restore the distinction between grand and petit larceny. Judiciary.

Mr. Phillips, to require leases on land to be registered. Judiciary.

Mr. Forbis, for the protection of fish in Guilford county. Calendar.

Mr. Liles, to construct a ferry across the Pee Dee river. Propositions and grievances.

Mr. Landreth, to repeal so much of chapter 253, laws 1881, as relates to the county of Alleghany. Propositions and grievances.

Mr. Riggs, to amend chapter 87, Battle's Revisal. Propositions and grievances.

Mr. Sandifer, to authorize Mecklenburg county to pay a claim. Propositions and grievances.

Mr. Holton, to submit the stock law question to the voters of East Bend township, in Yadkin county. Propositions and grievances.

Mr. McLoud, to amend the charter of the town of Asheville. Corporations.

Mr. Bledsoe, for the relief of the fire companies of North Carolina. Corporations.

Mr. McLoud, relative to the fees of sheriffs. Salaries and fees.

CALENDAR

was then taken up and disposed of as follows:

To provide for the payment of the indebtedness of Franklin county. Third reading. Albemarle and Raleigh Railroad Company. Third reading.

To allow Cabarrus county to levy a special tax. Third reading.

To incorporate the town of Sassafras Fork. Second reading.

To amend the charter of the Caldwell and Watauga Narrow Gauge Railroad Company.

Messrs. Bower and Lenoir explained the bill and advocated its passage. The bill then passed its third reading.

To create a sinking fund for New Hanover county. Informally passed over.

To incorporate St. James' Parish, Wilmington. Third reading.

To incorporate the town of Caswell, in Pender county. Special order for 1 o'clock on next Thursday.

To prevent the felling of timber in South Fork river. Third reading.

Concerning the town of Middleburg, in Vance county. Informally passed over.

Mr. Ray, by consent introduced a bill relative to toll gates in certain counties. The rules were suspended and the bill passed.

To change the time of holding the Superior Courts for Halifax county; passed third reading.

To prevent the catching of fish in Elk river, passed third reading.

To amend chapter 119, Battle's Revisal, passed third reading.

For the protection of the aids of navigation established by the United States in North Carolina.

Mr. Nixon moved to table, which was adopted.

To amend chapter 94, laws 1879, passed third reading.

To amend the charter of the town of King's Mountain, informally passed over.

To re-enact certain section of title twelve of the Code of Civil Procedure. Informally passed over.

To amend chapter 78, laws 1881, allowing Craven county to levy a special tax. Informally passed over.

Mr. Simmons moved to reconsider the vote by which the bill to protect aids to navigation, placed by the United States in this State, was tabled. The motion prevailed and the bill then was informally passed over.

To amend chapter 64, Battle's Revisal. Passed its third reading.

Mr. Holt moved that when the House adjourns it adjourn to meet on Monday morning at 10 o'clock. The motion prevailed.

To amend chapter 94, laws 1881. Passed its third reading.

To repeal chapter 141, laws 1876-7, to elect county officers. Informally passed over.

To amend chapter 274, laws 1876-77. Tabled.

To amend chapter 234, laws 1881.

Mr. Greene, of Franklin, moved the bill be tabled; a vote being had the Chair was unable to decide, and a division being called for, the vote was found to be 34 to 34; the Chair voted to table. This was the first tie of this session.

To incorporate the Seaboard Manufacturing Company. Ordered to be printed.

To provide an official seal for the Department of State, passed its third reading.

To incorporate the town of Rich Square, passed its second reading.

To secure titles to real estate, tabled.

To repeal chapter 85, laws of 1869-70, and chapter 194, laws of 1870-71, passed its third reading.

For the promotion of female education; providing that certain bonds of Greensboro Female College shall be free from taxation.

Messrs. Strudwick, Forbis, McLoud, Le-noir, Peebles, Bailey of Mecklenburg, Reid of Person, Myers, and Green, of Franklin, discussed the merits of this bill.

Mr. Strudwick called the previous question, and the call was sustained, and it was so ordered, and the bill then passed its several readings.

Concerning the hunting of wild fowl. Withdrawn by consent.

By consent Mr. Abbott introduced a bill to incorporate the town of Shiloh. Corporations.

Adjourned.

SENATE.

FORTY-FIRST DAY.

February 19.

The Senate was called to order at 10 o'clock.

PETITIONS.

Mr. Toon, from citizens of Columbus county, asking for prohibition in three miles of X Roads Baptist church.

Mr. Poole, from citizens of Washington county, asking for a special tax.

BILLS.

Mr. Clarke, to authorize the commissioners of Craven to issue bonds to build bridges across Trent River.

Mr. Poole, to authorize the commissioners of Washington to issue a special tax.

Mr. Lyon, concerning the sale of spirituous liquors in Elizabethtown.

Mr. Woodhouse, to repeal the law concerning prohibition in Bertie county.

Mr. Ramsay, petition of citizens of Mocksville, Davie county, asking that the prohibitory law now in operation in that place be submitted to the vote of the people.

CALENDAR.

Mr. Ebbs called up the bill to authorize the county commissioners of Jackson to levy a special tax to build a bridge across Tuckasegee river, and it passed its second reading—yeas 29, nays none.

Bill to incorporate the Fayetteville public graded and normal school, for whites, passed third reading—ayes 28, nays 0.

Bill for the improvement of the streets of the city of Raleigh.

Mr. Strayhorn amended that one of the street commissioners should be a Republican, which was adopted, and the bill put to third reading. There was no quorum voting.

Mr. Jones' name was called. He said he couldn't vote for the bill with that amendment to it. There might be no Republican party at all next year. He voted no.

Mr. Watson, who has returned, said if there was any chance of the bill bringing about that state of affairs, he would vote aye.

Mr. Pemberton said the Republican might change his politics and the board have to undergo entire reorganization. He was opposed to bringing politics into the bill, and should vote no.

Several Senators explained their votes. A quorum was obtained, and the bill passed third reading—ayes 23, noes 5.

Bill to incorporate the town of Highland passed third reading—ayes 30, noes 1.

Bill to change the time of holding the courts in the first judicial district.

Mr. Caho offered for the committee a substitute for the pending bill, simply rearranging some of the counties, and it was adopted. Bill passed third reading.

Bill to provide a remedy for forcible entry and detainer. The bill was reported

unfavorably by the judiciary committee. The bill was read.

Mr. Linney said it seemed to him that the judiciary were for killing some mighty good law; that as the law was now a tenant might steal in the night time on a man's land and it would take two years with the courts crowded to get him off. He further explained how, under the constitution of 1868, a party who had entered forcibly could be thrown off the land in a twinkling by a justice of the peace, and that now, under this bill, the probate judge was given the same powers the justices of the peace had then.

Mr. Pemberton said the trouble with the bill was that the clerk of the court with the jury in his office should try the cases, known under the system before the war as "bush courts"—and the committee were of the opinion that this was going a little too far.

The chirography of the bill was referred to in the course of the debate as being hard to read, and Mr. Linney said that a lawyer with a good practice and the brains to back him couldn't write a good hand.

Mr. Pinnix offered an amendment to strike out twelve jurors where it occurs and insert "six jurors." He spoke to the bill and was willing to pass it and give it a trial.

Mr. Payne said that legislation of this kind was desired—he would go farther and say it was a necessity. He had no objection to the bill, but did have to that amendment. He did not believe in six-men juries, and so far as to its being easier to get six good men than twelve good men, why the Senator from Davidson didn't believe that himself.

Mr. Pemberton here said that the Senator from Alexander and himself had agreed to let the bill pass its second reading and go back to the judiciary committee for a redraft. The bill passed its second reading.

Mr. Watson offered an amendment to strike out probate judge wherever it occurs and insert clerk of the Superior Courts.

Mr. Cahoon moved that when the sheriff was a party to the action the coroner should perform the duties of sheriff.

Mr. Linney moved that the bill with its pending amendments be recommitted. It was recommitted.

Bill to authorize the county commissioners of Rowan to pay W. J. McNeilly \$75 passed its third reading.

Bill for the better protection of landlords. The committee recommended that the Senate concur in the House amendments.

Mr. Womack moved that the Senate concur. Mr. Watson said the bill was his, and he favored all the House amendments, except one, and that was the striking out that part making fences the subject of larceny. Mr. Womack then moved not to concur in

the second amendment. The Senate agreed not to concur, and to concur in the first and third amendments, which was done.

Mr. King, of Cherokee, called up his resolution on adjournment, resolving that the Senate, the House concurring, adjourn March the 5th, 1883, at noon. He hoped the Senate would adopt this resolution, so that we should know exactly the time to adjourn, and work up to it, and if anything be left undone it may be unimportant local legislation.

Mr. Watson said he thought we ought to adjourn by the 5th of March, and the work should all be done by that time. Resolution adopted.

Bill to amend the law as to pilots. Passed its third reading.

Bill to ascertain and establish the dividing line between the counties of Carteret and Craven. Passed its third reading.

Bill to regulate the hiring out of convicts in certain cases. Mr. Berry's bill.

Mr. Linney, for the committee, explained that they thought the sum paid for the convicts should be higher, and fixed at \$240 instead of \$200 a year for the convicts, and with this amendment the committee reported the bill favorably.

Mr. Berry said he would accept that amendment. The purpose of the bill is to provide the mining companies with convicts.

Mr. Strayhorn said he should vote for this bill because it fixed a better price for the labor than would be given for it here under private contract. He stated he voted Saturday to prevent their being hired out at all under private contract.

Mr. Watson said he was opposed to putting this convict labor in competition with skilled labor that made mining a lifetime study; he was opposed to saying to those mica miners in Mitchell county that the State of North Carolina had her convicts in competition with them who were laboring for their wives and children.

Mr. Linney said the reason so well stated by the Senator from Forsyth, had been the reasoning of the committee, they thought the laborers of the State had a right to demand of them that convict labor should not be brought into competition with them, but the Senate last Saturday had seen proper to vote differently, and it is now settled by the deliberate vote of this body that convicts shall be hired, and now the question presents itself in what best advantage to the State, they could be hired, and this bill offered a good price and he should vote for it.

Mr. Womack said this bill dealt with an entirely different class of convicts, not with the old, infirm and crippled; not with the women, but with the healthy, able bodied convicts, and if it becomes a law it will re-

peal the laws appropriating convicts to all the public works heretofore.

Mr. Poole opposed the bill on the grounds that it would deprive the public grounds and buildings of the convict labor.

Mr. Pinnix said he opposed it because it would bring convict labor into competition with the mining labor in his county, and besides for other reasons.

Mr. Cahoon opposed the bill that in private contracts there was no discrimination as to the labor.

Mr. Ramsay opposed the bill; he wanted the convict labor for public buildings, grounds, railroads, &c., and if hired on private contracts at all, then he wanted them for our creeks.

Mr. Morehead offered an amendment, "after all others," in section 2, insert the words "of a private character."

Mr. Hill said he wanted this labor to drain the eastern lands; he opposed the bill. His people were opposed to paying court-costs to send the convicts up West.

Mr. Lovill said it looked a little singular to him that Senators here who last Saturday were for hiring out convicts are to-day found against it.

Mr. Hill offered an amendment, giving preference in the labor to the swamp lands in the east.

Mr. Neill amended, providing that no able bodied convicts be hired on any private work until the Asheville and Furnessville Railroad is built.

Mr. Poole moved that the bill and all its amendments be laid on the table.

Mr. Linney moved the previous question. It was ordered. Amendments all voted on and adopted. Bill put on its second reading and failed to pass—yeas 15, nays 17.

Bill to protect the citizens of Burke county. It empowers the board of county commissioners to take a guard (if necessary) and compel the citizens of the county to be vaccinated; it had passed the House.

Mr. Berry explained that the small-pox was now in seven miles of Morganton, and he wished the bill to pass at once.

Mr. Ramsay said the board of health that ought to be in operation in that county were fully empowered for all the purposes of this bill, and he saw no necessity for it.

Mr. Berry said they had no board of health there.

Mr. Richardson said with this wholesale vaccination if that county never had a board of health before they would need one when they got through with them under this bill. He would like to offer an amendment to exempt the women and children.

Mr. Ralston said the bill gave extraordinary power, almost calling out the militia. He didn't want the ladies' arms ruined under this bill.

Mr. Lovill said he presumed the Senator from Burke had the right to ask this legislation for his own county, and knew what his people wanted.

Mr. Goodwyn favored the bill for the same reasons.

The bill passed its third reading.

Engrossed House substitute for changing times of holding Superior Courts in Halifax was concurred in.

Bill to amend the law to prevent the running at large of live stock in the counties of Greene and Lenoir, passed third reading.

Bill for protection of executors and administrators. Mr. Loftin explained that it cured a defect of the law of 1879. It passed third reading.

Bill to allow the magistrates of Oxford township in Granville county, to transfer its stock, passed third reading.

Bill to amend the act repealing the prohibition law at Troy, in Montgomery county, passed third reading.

Mr. Dortch, a bill to erect a monument at Goldsboro to the Confederate dead.

Mr. Pinnix, introduced a petition from certain citizens of Forsyth and Davidson counties praying for a law to drain the low lands of Spurgin's creek.

Bill to change the mode of election of school committeemen.

Mr. Womack made the point of order that this bill went over as unfinished business under a motion to table the bill. So that motion came up.

Mr. Strayhorn asked the yeas and nays on that motion.

Mr. Womack, on request, withdrew the motion, and agreed to have the bill made the special order for next Wednesday.

Bill to amend the charter of Mt. Pleasant, Cabarrus county. Passed its third reading.

Bill to incorporate the Philadelphia Presbyterian Church, in Gaston county, passed third reading.

By consent Mr. Pemberton introduced a bill to incorporate the Yadkin Falls Manufacturing Company.

Bill to incorporate the Wesley's Chapel Church and Camp Ground, with amendment from Mr. Costner, passed third reading.

Bill to incorporate the Co-operative Colonization Society, of Teutonia, passed third reading.

Bill to amend the act so as to create two additional Justices of the Supreme Court, on motion of Mr. Payne, was made special order for next Thursday at 10:30.

House resolution instructing our Senators and Representatives to amend the pension law so as to include the widows and children of the soldiers of 1812, for pensions, was adopted.

Bill to repeal the prohibition law for the

county of Northampton, that was passed in 1874-75, passed third reading.

Bill to amend the law with regard to the tax list. It empowers the board of county commissioners to employ any person to prepare the tax-list. Passed its third reading.

Bill to allow the county of Halifax to fund its floating debt.

Mr. Goodwyn thanked the Senate for having reconsidered this bill at his request: he saw that it had again been reported favorably, but he stated that the tax-payers of Halifax were against the bill; he reasoned that the debt was unjust. He said a large number of the tax-payers had said to him: "Jim, we'll vote for you if you'll go there and vote against the paying of this debt." This bill levied \$15,000, whereas the sheriff told him before they got through with it it would run up to \$120,000. He argued that there was no petition here with this bill, and no one here but two men from that county, both of them attorneys, and a third lawyer was here from Henderson to help them fight "a poor old farmer." He hoped the scales would fall off the Senate's eyes in this matter as they fell off of Paul's when he was smitten by the spirit of God.

Mr. Watson asked if this debt was contracted under the old county government or the new.

Mr. Goodwyn said pretty much all of it was under the old government, and by a Republican board at that.

Mr. Pinnix said we were playing to the card that was before us, and if it was an honest and just debt, as the men who had it to pay said it was, then it ought to be paid, and he should vote for the bill.

Mr. Linney explained the nature of the debt as was represented to the committee by the two gentlemen who admitted that they had been employed by the holders of the claims, but it was conceded that the claims had passed into judgments, and the committee didn't feel at liberty to review the action of the courts.

Mr. Lyon said when the gentlemen before the committee made their statements he saw sufficient reason why he should vote against the bill; for instance the drafts of the school committee had been drawn without reference to the apportionment of the school fund; he was not in favor of passing laws to legalize erroneous judgments of courts of law.

The bill was put on its second reading—yeas 7, nays 26, so the bill failed to pass.

On motion of Mr. Caho a motion to reconsider and then to table that motion, prevailed.

Bill to authorize the commissioners of Swain county to sell certain lands. Passed its third reading.

Bill to incorporate the Colored Orphan

Home, of Eastern North Carolina. Passed its third reading.

Bill relating to the graded schools in Guilford county, passed its second reading—yeas 29, nays none.

[Mr. Ramsay arose to a question of personal privilege. He was surprised to find that the Senator from Davidson was introducing petitions against prohibition from Davie county, by THE NEWS AND OBSERVER of Saturday morning.

Mr. Pinnix said the Senator could not shake his gory locks at him and say he did it, that it was for Davidson and not Davie.

Adjourned.

HOUSE OF REPRESENTATIVES.

House called to order by Speaker Rose at 10 o'clock.

The reading of the journal was dispensed with and it stood approved.

PETITIONS.

Mr. Cain, relative to the appointment of justices.

Mr. Landreth, relative to the appointment of justices.

Mr. Marsh, relative to the appointment of justices.

Mr. Harris, of Wake, relative to convict labor.

Mr. Williamson, relative to the appointment of a justice in Brunswick county.

Mr. Lineback, from Mitchell county, relative to the sale of liquor.

BILLS

were introduced, passed first reading and were referred as follows:

Mr. Overman, to incorporate the bank of Salisbury. Banks and corporations.

Mr. Reynolds, to amend chapter 200, laws 1881. Education.

Mr. Peebles, to incorporate the town of Woodland, in Northampton county.

Mr. Harris, of Davidson, to amend chapter 293 of the laws of 1881. Finance.

Mr. Lineback, concerning the manufacture of brandy in the county of Mitchell. Propositions and grievances.

To prohibit the sale of liquor near the Fork mountain Baptist church. Propositions and grievances.

Mr. Steed, to prohibit the sale of liquor in certain localities. Propositions and grievances.

Mr. Chandler, to prohibit the sale of liquor within five miles of Warm Springs. Propositions and grievances.

Mr. Privett, to protect the citizens of Rutherford county. Propositions and grievances.

Mr. Walker, relating to the bringing of stock from other States into this State. Propositions and grievances.

Concerning the toll-gates of Cherokee county. Propositions and grievances.

To prevent the felling of trees in Cheoah

river, in Graham county. Propositions and grievances.

Mr. Harris, of Wake, to prevent the farming out of convicts in the county of Wake. Propositions and grievances.

Mr. Tate, to protect the citizens of Burke county. Calendar.

Mr. Robins, to incorporate the town of Asheboro, in Randolph county. Calendar.

Mr. Holt, to make Haw river a lawful fence. Calendar.

CALENDAR

was then taken up, and disposed of as follows :

To incorporate the town of Kill Quick. Passed its third reading.

Resolution to adjourn sine die March 5, 1883. Passed its second reading.

To incorporate the town of Rich Square. Passed its third reading.

Concerning wild fowl. Passed its third reading.

An act supplemental to an act to amend chapter 307, laws of 1879. Passed its third reading.

To better regulate the giving of notices and taking of evidence in contested election cases. Informally passed over.

To amend chapter 354, laws of 1881. Passed its third reading.

To amend chapter 234, laws of 1881, (known as the omnibus liquor bill.) Passed its third reading.

Bill relating to county government. Made the special order for 11 o'clock on Wednesday.

To punish the tearing down of bridges, etc. Passed its third reading.

To make all conductors special policemen. Referred.

To prevent fraud in packing cotton.

Mr. McCotter explained this bill, and advocated its passage.

Mr. Strudwick thought that it was unnecessary, for the present law covered the evils which this bill sought to remedy. He moved to table, which was lost.

Mr. Harris, of Wake, was in favor of the bill.

Mr. Overman moved to refer to the judiciary committee, and it was so referred.

To make Haw river a lawful fence. Passed its third reading.

To incorporate the Newbern Star Brand. Informally passed over.

To protect the citizens of Burke county, providing for compulsory vaccination. Passed third reading.

To authorize the commissioners of Mecklenburg county to elect a physician for the poor. Passed third reading.

To alter the line between the counties of Wilkes and Caldwell.

Mr. Bower explained the bill and spoke in favor of it.

Mr. Bryan was opposed to the bill and asked that the bill be referred or informally passed over. It was informally passed over.

To establish the line between the counties of Hyde and Tyrrell.

Mr. Patrick said that he hoped the bill would not pass, for it was requiring an impossible thing to be done, for the line would run through a bog which no civilized man had ever trod. That Tyrrell county was not interested in this matter and that if Hyde county wanted to run this line he was willing for them to run it, but was unwilling for Tyrrell county to pay for that which was of no benefit to his county.

Mr. Baum thought there was a necessity for running out this line, as there were some of the people who did not know which county they lived in.

Mr. Simmons advocated the bill for the same reasons that Mr. Baum did.

Mr. Wilcox moved to amend by striking out all which required Tyrrell county to bear any part of the expense, which was adopted.

The bill then passed its third reading.

To regulate marriage among the Cherokee Indians. Informally passed over.

To amend chapter 242, laws of 1876 and 1877. Failed to pass its second reading.

To incorporate the Trustees of Hayesville High School. Passed its third reading.

For the encouragement and aid of the State Guard. Informally passed over.

To extend aid to the North Carolina Tobacco Exposition. Ordered to be printed, and made the special order for Wednesday night, at 8 o'clock.

To incorporate the Shelby Baptist Female College. Passed its third reading.

To amend the charter of the town of King's Mountain. Passed its third reading.

Concerning lands belonging to the board of education, in the county of Bladen. Tabled.

For the protection of aids to navigation placed in the waters of North Carolina by the United States lighthouse board. Passed its third reading.

To amend chapter 78, laws of 1881, passed its third reading.

To amend chapter 175, laws of 1876-77, passed its second reading.

To incorporate the Oxford toll bridge in Catawba county. Pending the consideration of this bill the House adjourned.

NIGHT SESSION.

House met at 7:30. The following bills were taken up :

To change the time of holding the courts of the ninth judicial district, passed its third reading.

To incorporate King's Mountain High School, passed its third reading.

To amend chapter 200, laws 1881, passed third reading.

Substitute for an act to make it a misdemeanor to employ minors without the consent of their parents. Tabled.

To repeal chapter 46, laws 1876-'77, passed third reading.

To extend the time to register deeds, passed third reading.

To repeal section 48, chapter 26, Battle's Revisal. Tabled.

To authorize Chowan county to levy a special tax.

House adjourned while this bill was pending.

SENATE.

FORTY-SECOND DAY.

February 20.

The Senate was called to order at 10 o'clock.

Prayer by Rev. Dr. Yates.

PETITIONS.

Mr. Dortch, from citizens of Wayne asking prohibition in two miles of Nahant's Friends church.

Mr. Womack, from certain citizens of Chatham, asking prohibition in three miles of Zion Christian church.

Mr. Morehead, from citizens of Guilford, asking for the drainage of certain creek.

Mr. Caho, from certain citizens of Woodington township, asking that no further stock law be enacted for Lenoir county.

Mr. Purnell, from citizens of Wake, asking prohibition in one and a half miles of Ephesus church.

Mr. Black, from certain citizens of Moore and Chatham, asking prohibition in two miles of Moore Union church.

Mr. Berry, from citizens of Lenoir, in Caldwell county, for a graded school.

RESOLUTIONS AND BILLS.

Mr. Jones, resolution to furnish Superior Court Judges and solicitors with copies of the laws enacted by the General Assembly.

Mr. Berry, bill for a graded school at Lenoir, in Caldwell county.

Mr. Morehead, bill for the drainage of lowlands on Reedy Fork and Horse Pen creeks, in Guilford county.

Mr. Goodwyn (by request), bill to appoint a cotton weigher for the town of Scotland Neck.

Mr. Womack (by request), bill to prohibit the sale of liquor within three miles of Zion's Christian church, in Chatham county.

Mr. Caho (by request) bill to repeal the law relating to the sale of liquors at Woodington church, in Lenoir county. Also bill to repeal law as to sale of liquor at Middleton, in Hyde county.

Mr. Dortch, bill in relation to appointment of cotton weighers in Goldsboro. Also bill to prohibit sale of liquor in two miles of Nahant's Friends church, in Wayne.

Mr. Caho moved to take from the table the motion to reconsider the vote by which the Halifax tax bill failed to pass its third reading on yesterday, for the purpose of reconsidering said vote.

Mr. Dortch raised the question that this could not be done according to parliamentary rules.

The chair said that under the practice in this body he was of opinion that the motion of the Senator from Pamlico was in order. The question was to reconsider the vote by which the bill to authorize the county of Halifax to levy a special tax failed to pass. Pending a vote on this motion to reconsider the matter was laid on the table. He was satisfied after a vote was once reached on the question it cannot be repeated, and cited an extract from Senate rule 33: "Nor shall any question be reconsidered more than once."

Mr. Pinnix said that in the confusion yesterday several Senators had not gotten full light on the subject. He hoped the bill would be brought again before this body.

Mr. Payne said he hoped the committee on finance would have the opportunity to give to the Senate the views that induced them to report that bill favorably.

Mr. Linney favored reconsidering.

The motion to reconsider was put, rising vote—ayes 14, noes 17, so the motion to reconsider failed.

Mr. Jones had the bill reconsidered which passed third reading on Saturday to prevent lawyers from serving on the board of county commissioners, and the suggestion of Mr. Morehead agreed to have it passed over informally for the present.

Mr. Loftin, a bill supplemental to the act passed at the present session that establishes a law to prevent live stock from running at large in the counties of Greene and Lenoir.

Mr. Pemberton, by consent, called up the bill to incorporate the Yadkin Falls Manufacturing Company, which passed third reading.

Bill as special order came up for creating a railroad commission. The chair said the first question was on the amendments of the Senator from Wayne, as to expert, &c. (This bill and all its amendments with a full line of discussion thereof have been reported in THE NEWS AND OBSERVER.)

Mr. Clarke spoke at length against the majority bill and the amendments.

Mr. Poole asked attention to rule 12, and gave notice that for the rest of the session he should insist on the enforcement of this rule. The rule says that no Senator shall speak more than twice nor longer than thirty minutes on the same day on the same subject without leave of the Senate.

Mr. Clark said he would finish his speech in a few minutes, and on motion of Mr. Pemberton, his time was extended.

Mr. McLean said he would promise to vote for either bill if the supporters of the majority or the minority side would show to him that either one was perfect and would hold water. So far the Senate had been shown all else about these bills but that. He argued against the power of the State under the guise of a police to regulate the freights and fares of railroads which were chartered before 1868. He said the cry with some in this Senate chamber and out of it was: "Let's pass the law any how—the people demand it." But if it was unconstitutional he did not care if the people to a man should call for it, he would not vote for it. Neither bill did anything—only paid three men three thousand dollars each, and a clerk twelve hundred dollars to sit in the shade and do nothing. He would like to vote for it if he could conscientiously do so, but if the commissioners could not act so as to make it to amount to something he was now opposed to creating any more sinecure offices.

Mr. Morehead offered an amendment: Add to section 1, of the majority report, provided that all of commissioners shall not be of the same political party.

Mr. Pinnix spoke earnestly to the minority report, and during his remarks said, he scorned the doctrine, he abhorred and spurned and spit upon it, that North Carolina had no right to control her highways, and that she was powerless and helpless at the feet of any railroad, and said he, mark me, Senators, you will hear from this in two years. He told the Senate if the people did not get relief from this Legislature by a bill that would do something we would hear it thunder before two years.

Mr. Linney said we should not be influenced by magnificent platitudes or glittering generalities, nor should we heed any notes of alarm unduly sounded. Unconstitutional acts always breed mischief. Since the Senator from Union had told us the other day that we had no right to regulate the charters of old roads with fixed maximum rates, he had examined into the matter and found the position correct. Any private business can be regulated as far as it is of public interest, except as to one thing, and that was alarming. We had no right to interfere with statutory regulation as to old railroads whose maximum rates had been fixed. He cited many decisions of Chief Justice Waite, Justice Field and others, and read from charters of roads chartered before 1868 whose maximum rates had been fixed.

Mr. Morehead asked to hear Mr. Linney on two questions. First, distinguish the reserved power of sovereignty from such as the Legislature can alienate; and second, distinguish between contracts with private corporations and quasi public.

Mr. Linney, in answer to the first, said

that the Legislature could not alienate its police power, but that wherever it had granted charters to railroads with fixed maximum rates it had parted with its reserved power in the absence of any general law at the date of the charter. And to the second question, he said that both contracts with private corporations (clothed with a public interest) and quasi public were on a common footing with the main feature which was that wherever these charters had fixed maximum rates they could not be touched. He thought the Senator from Wayne was on the back track in desiring high salaries for these officers. The greatest living statesman to his mind that North Carolina ever had was Nathaniel Macon. Benton said of him that he was a man of small pretensions and wonderful performance; the fault with our statesmen of this day is that they are men of wonderful pretension and small performance; and yet Nat Macon served his county for just one-half what an African gets in Congress. Mr. Linney made a general argument against the constitutionality of the commission.

On motion of Mr. Watson further consideration of the bill was postponed till tomorrow at 10:30.

Mr. Loftin called up the bill to supplement the act allowing live stock to run at large in the counties of Greene and Lenoir. Passed its third reading.

Senate concurred in House amendments to bill concerning aids to navigation. Also with amendments to bill fixing time for holding courts in the ninth judicial district.

Bill to incorporate the Immigrant Land and Mineral Company of North Carolina. Passed its third reading.

Mr. Scott, of Rockingham, called up the bill known as "The Sutherlin Railroad Bill" that allows Mr. Sutherlin to run his road from Patrick county, Va., through Stokes and up the Yadkin Valley. Passed second reading—ayes 35; noes 1.

Mr. Poole called up the bill for the construction of the Albemarle and Raleigh Railroad. Passed second reading—ayes 37; noes none.

Mr. Pinnix called up the bill to incorporate the town of South Mills in the county of Camden. Passed its second reading—ayes 36; nays none.

Bill for changing the time of holding courts in the third judicial district and providing additional terms for Duplin and Lenoir. Passed third reading.

Mr. Lovell, resolution as to night sessions for the Senate.

Bill relating to graded schools in Guilford county passed third reading—ayes 30, nays 0.

Bill to authorize the county commissioners of Jackson county to levy a special tax

to build a bridge across the Tuckasegee river, passed third reading—ayes 41, noes 0.

Bill to amend the charter of Goldsboro passed third reading.

Bill to amend the law as to fish and oysters passed third reading.

Mr. Boykin, petition of certain citizens for a change of the dividing line between Sampson and Duplin, so as to take in the town of Paison.

Adjourned.

HOUSE OF REPRESENTATIVES.

House was called to order by Speaker Rose.

Prayer by Rev. Dr. Yates.

PETITIONS

were introduced as follows:

Mr. Liles, from Polkton, asking for a prohibitory law for Penny Grove church; from Burnsville township, Anson county.

Mr. Bryan, from Wilkes county, relative to the line between Wilkes and Caldwell.

Mr. Bradley, from citizens of Polk county, asking for a prohibitory law for a certain church.

Mr. McAllister, relative to the appointment of justices of the peace.

Mr. Sherrill, from physicians in Catawba county, asking amendment to chapter 24, private laws of 1881.

From Hickory township, relative to the appointment of justices of the peace.

Mr. Lawrence, relative to the appointment of justices of the peace.

Mr. Stewart, from the liquor dealers of Harnett county.

Mr. Glenn, from Vance county, against the levying of a special tax.

Mr. Smith, relative to the sale of liquor near a certain church.

Mr. Sutton, relative to the appointment of justices.

Mr. Peebles, relative to the sale of liquor in a certain locality in Northampton county. Relative to the appointment of justices in Warren county. Relative to the sale of liquor at Seaboard.

Mr. Pruitt, from Rutherford county, relative to stock law.

RESOLUTIONS.

Mr. Stringfield, resolution looking to the removal of the political disabilities of W. W. Holden, late Governor of North Carolina. Judiciary.

Mr. Harris, of Wake, concerning the management of the penal and charitable institutions of this State. Penal institutions.

BILLS

were introduced, passed their first reading and were referred as follows:

Mr. Stringfield, to prevent fishing with nets, etc. Fish.

Mr. Abbott, to prohibit the use of pound or Dutch nets in Pasquotank and North rivers. Fish.

Mr. Williams, of Granville, to incorporate the bank of Oxford. Banks and currency.

Mr. McCurry, to incorporate the Black Mountain Railway Company. Corporations.

Mr. Springfield, to repeal an act to incorporate the Jonathan Creek and Tennessee Mountain Turnpike Company. Corporations.

Mr. Sherrill, to incorporate Mt. St. Joseph's Academy. Corporations.

Mr. Baum, to incorporate Leonsburg, in Hyde county. Corporations.

Mr. Cowell, to incorporate the Cashie and Chowan Railroad and Lumber Company. Corporations.

Mr. McAllister, to increase the educational fund. Education.

Mr. Newby, to amend chapter 311, laws 1881. Education.

Mr. Myers, to repeal the merchant's purchase tax. Finance.

Mr. Patrick, to exempt certain persons from poll tax. Finance.

Mr. Newell, to prohibit the sale of liquor near Brown Marsh church in Bladen county. Propositions and grievances.

Mr. Houston, prohibiting the sale of liquor in a certain locality. Propositions and grievances.

Mr. Powers, of Cumberland, for relief in certain cases. Propositions and grievances.

Mr. Holton, to incorporate Fairbush Union School. Calendar.

Mr. Temple, to repeal the act incorporating the town of Forestville. Calendar.

Mr. Myers, supplemental to an act to incorporate the Loftin Silver Lead Mining company. Corporations.

Mr. Struckwick, to amend chapter 139, laws of 1870-71. Salaries and Fees.

THE CALENDAR.

was taken up and disposed of as follows:

To authorize Chowan county to levy a special tax.

Mr. Sutton opposed the bill, and said the majority of his people did not want it, and as far as he was able to ascertain, only one citizen of Chowan county asked for its passage.

The bill was informally passed over.

To incorporate the town of Franklin, in Macon county. Passed its third reading.

To authorize the sale of the poor house, in Randolph county. Passed its third reading.

To incorporate the town of Asheboro. Passed its second reading.

For the benefit of farmers in Gray's Creek township in Cumberland county.

Mr. Worthington took the chair, and Mr. Rose took the floor, and said that it was merely an act to have a no fence law in this township, and that every landowner in that section had signed the peti-

tion, except three or four, and he hoped the bill would pass.

Mr. Powers, of Cumberland, said that he was opposed to the bill; that in the last campaign his colleague (Mr. Rose) and himself were together on this subject, and that no man, Democrat or Republican, could have been elected in Cumberland county that was in favor of a stock law; that he knew the sentiments of the people, and that a majority of the land-owners were opposed to any such law, he hoped the bill would not pass.

Mr. Rose said that he would not favor a stock law for Cumberland county, that something was said about a stock law for his county in the last campaign, and that he had said that he would not vote for a stock law for the whole of Cumberland county, nor would he. But he had gone to Fayetteville and ascertained the fact that a large majority of the land owners in that section were in favor of this bill. That with the exception of the few property holders in this section who did not sign this petition, the majority of its opponents were a floating population which did not own property, and that they did not vote for him but for his colleague.

Mr. Bryan was opposed to the bill, and thought it wrong to thrust a stock law on any people without submitting it to their vote.

Mr. Ray interrupted him and reminded him that this was not a bill with a prohibition provision in it, and therefore his usual amendment would not apply.

Mr. Bryan thought that there was prohibition in more things than that of whisky, and that he thought it unwise to pass this bill.

The bill was further discussed by Messrs. Powers of Cleveland, Temple and Peebles. The bill then passed its second reading.

An act to establish the line between Hyde and Tyrrell counties was returned to the House for correction. The vote by which this bill passed was reconsidered. The bill was then tabled.

Mr. Patrick moved to reconsider that vote and to table, which was carried.

To incorporate the Bank of Salisbury. Ordered to be printed and informally passed over.

Mr. Sherrill offered a resolution to meet at 9:30 o'clock, and fixing the hour for the night session from 7:30 to 10:30 o'clock.

To amend the charter of the Oxford and Henderson Railroad Company. Second reading.

For the protection of fish in the county of Guilford. Third reading.

To amend chapter 24, private laws 1881. Third reading.

To establish graded schools in the town of Monroe. Second reading.

To establish new townships in Lenoir county. Third reading.

Resolution changing the time of meeting of the House from 10 to 9:30 o'clock. Tabled.

Relative to the method of allotting dower. Third reading.

Senate amendment to the bill amending the charter of the town of Henderson. Concurred in.

To amend chapter 368, laws of 1881. Informally passed over.

To amend chapter 234, laws of 1881. Informally passed over. Adjourned.

NIGHT SESSION.

Substitute for an act for the protection of the estates of deceased persons. Failed to pass its second reading.

SPECIAL ORDER.

An act to provide for the collection of taxes. Passed third reading.

House adjourned.

SENATE.

FORTY-THIRD DAY.

WEDNESDAY, February 21.

Senate called to order at 10 o'clock.

Journal reading dispensed with.

PETITIONS.

Mr. Hill, of citizens of Duplin, praying that they be not transferred to Sampson county.

Mr. Costener, of certain citizens of Lincoln and Cleveland counties, praying against a new county out of Rutherford, Cleveland, Lincoln, Catawba and Burke counties.

Mr. Payne, of citizens of Monroe, asking that said town be incorporated.

Mr. Morehead, of citizens of Centre Grove township, Guilford, asking for a prohibitory law in two miles of Centre Grove church.

Mr. Purnell, of certain citizens of Wake and Franklin, asking repeal of prohibition near Hawkins' Chapel.

Mr. Jones, of certain citizens of Granville and Vance, asking the appointment of bonded weighers in the tobacco warehouses.

Mr. Scott, of Rockingham, of citizens of Rockingham, asking Senate to vote against the bill to appoint tobacco weighers.

BILLS.

Mr. Ramsay, bill to amend law concerning gates and bars on cartways.

Mr. King, of Cherokee, resolution in aid of the exhibit of the State's resources at the exposition of the New England Mechanics' and Manufacturers' Institute.

Mr. Payne, bill to incorporate the town of Marvin, in Anson county.

By the same, bill to amend the act to provide for keeping in repair the public roads.

By the same, bill to authorize justices of

the peace to issue process in certain cases to any county other than their own.

Mr. Black, (by request), bill to prohibit manufacture and sale of liquor in two miles of Moore and Union Church, in Chatham county.

Mr. Toon, bill relating to special rates on freight.

THE RAILROAD COMMISSION BILL.

Bill came up as special order, creating railroad commission. The first question was on the amendments to the original bill. The amendment as to experts, &c., was lost.

Mr. Payne took the floor, and argued in favor of the majority bill, and thought it would not do for this Legislature to adjourn without providing some wise and salutary police measure that would stand between the people and the railroads and protect the one and at the same time do justice to the other. It would be doing a very great injustice to the people of the State to provide for the regulation of freight and passenger fare, when with one or two exceptions, it was admitted by every Senator on this floor that what was proposed by the minority bill was absolutely unconstitutional. For such legislation the people would have utter contempt. The State retained its police power, so as to prevent unjust discrimination. The majority bill proposed to prevent this discrimination, and protect the people. He cited several authorities to show that his legal positions were correct.

Mr. Watson said he desired only to submit a remark or two, and to submit some amendments to the minority report, and with those amendments he was for the minority report. He argued that a passenger taking the cars from Washington to New Orleans, when he reached Virginia travelled at the rate of three cents a mile, and when struck the North Carolina line, he travelled all through the State at four cents a mile, until he reached South Carolina, when he went back again to three cents a mile, because those States regulated such fare and this State did not. He said that no railroad could live in opposition to the will of the people, and that the people of the city of Pittsburg, he was told, sympathized with those men who plied the torch to the Pennsylvania Central railroad, though they considered them as plying the daggers of the assassin, felt that it was done for the purpose of tempering despotism. His amendment to the minority report was reducing the term of office to two years instead of four. Also one striking out section 18; and again, in section 12 strike out "sufficient" in line 12, and insert in lieu thereof the words "prima facie." Also section 12, by striking out "three thousand" in line 2, and insert "one thousand two hundred," and by striking out "twelve" in line two, and insert "fifteen." He propos-

ed giving the clerk three hundred dollars more than the commissioners, as the clerk would perform the main part of the labor of the commission.

Mr. Dotson offered an amendment to the majority bill, providing for one commissioner, at a salary of \$2,500, with a clerk at a salary of \$1,200, to be paid by the State. Also, to amend by striking out sections 20, 21 and 22 of the majority bill.

Mr. Boykin, in reply to Senator Linney, said that he understood the Senator to agree that the State could not alienate its police powers. This the Senator agreed to. Judge Cooley, in his work on Constitutional Limitations, says that the police powers of a State extend to the protection of lives, limbs, health, comfort and quiet of all persons, and the protection of all property within the State. Again, under the police power, persons and property are subjected to all kinds of restraints and burdens, in order to secure the general comfort, health and prosperity of the State. Again, all contracts and all rights are subject to the police power, and all regulations affecting them must be subject to change from time to time as the general well-being of the community may require, or as the circumstances may change, or as experience may demonstrate the necessity. Hence if the power to change contracts and all rights is a police, and if a police power cannot be alienated by the State, as the Senator admits, then the State has not parted with the privilege to control the railroads in matters necessary to the good of the public.

The amendment striking out section 16, allowing commissioners to prescribe schedule, &c., was adopted, and the provision inserted, giving the commission power to recommend what legislation it thought proper, was voted in.

The amendments to add after section 1, "that no officer of State or member of this Legislature be eligible as a commissioner," was allowed to be withdrawn by Mr. Loftin, who said he had been told since offering it that it was unconstitutional.

The amendment of Mr. Forehead that all the officers of the commission should not belong to the same political party was adopted.

Amendment of Mr. Purnell, to strike out sections 20, 21 and 22, providing for an assessment on different railroads for the purpose of paying the expenses of the commission. Mr. Purnell called the attention of the Senate to the decision of Justice Gary concurred in by Justice Miller, in the case of the County of San Mateo vs. Southern Pacific Railroad Company, and argued that even if it was not in violation of the State constitution, it clearly was of the 14th amendment to the constitution of the United States. The amendments were adopted.

Mr. Dotson's amendments were adopted.

Mr. Watson raised the point that no quorum was voting, but did not make it in time. (These were all the amendments to the majority bill.)

Mr. Pinnix asked to substitute the minority report for the bill, and it was brought before the Senate. It was put to the vote, and Mr. Pinnix asked for the yeas and nays. Ordered—yeas 15, nays 29, so the substitute was not adopted.

Mr. Watson said the fate of that bill was the fate all other bills on the subject had met with that the people had asked for the last six years. The bill now pending on the subject was not worth the paper it was written on.

Mr. Payne said the Senator from Forsyth admitted that he had some doubts about this power; then, if there was such doubt, he did not see how the Senate could be invoked to adopt those sections of the minority bill.

The question came up on the original bill as amended.

Mr. Pinnix said it was worth nothing.

Mr. Scott, of Rockingham, said he would infinitely prefer they should go home without doing anything except to adopt this bill. If the Senator from Union is correct that we had no right to control the roads chartered before 1868, then, sir, we could do nothing; but he believed with the Senator from Sampson that we had the right to control these roads, and he had hoped we would perfect a bill that would do something in that way; but with this bill, as it stands now, it was absolutely better to do nothing than to adopt it. He was anxious that the substitute, with the amendments suggested by the Senator from Forsyth, should pass.

Mr. Watson expressed his doubts as to the power of the commission; that it was on his return when he had not examined into the matter as he since had.

Mr. Loftin moved to table the bill.

On that motion Mr. Forehead asked the yeas and noes. Ordered. Several Senators gave notice explaining their votes.

The vote stood yeas 24, nays 20, so the bill was tabled. The vote was as follows:

YEAS—Messrs. Berry, Carter, Clarke, Cozart, Eaves, Evans, Farmer, Graham, Hampton, Jones, King of Cherokee, King of Pitt, Loftin, Lovell, Lyon, McLean, Neill, Pinnix, Purnell, Ramsay, Scott of Rockingham, Speight, Watson and Webb—24.

NAYS—Messrs. Alexander, Black, Boykin, Caho, Costner, Dortch, Dotson, Hill, Linney, Mebane, Morehead, Morrison, Payne, Pemberton, Poole, Richardson, Strayhorn, Toon, Woodhouse and Womack—20.

Mr. Holston said: If I had any hope that upon the second or third reading of this bill, amendments would be adopted which would give vitality to it, I would vote no, but from the vote just taken I have lost all

hope and cannot vote for a bill which takes money out of the pockets of the people and which gives them no relief.

Mr. Ramsay said he had hoped to be able to vote for some bill on this subject, but that hope was dissipated by the arguments on the constitutionality of the question. It was now evident that the substitute proposed by the Senator from Stanley would not be considered. If that had been considered, he had intended to propose an amendment substantially restoring the office of Superintendent of Public Works, unwisely, as he thought, abolished some years ago. With a commissioner elected by the people, he would have voted for that substitute.

Mr. Jones, explaining his vote said: I voted for the bill offered by the minority as a substitute for the majority report. The people of my county ask relief. I have weighed the matter carefully and am of the opinion that the Legislature can regulate all the railroads of the State. The substitute has been defeated and the bill now before us amounts to nothing. The State will have to pay large salaries to officers, and in my judgment, the people get no relief more than they now have. Therefore I vote to table the report of the majority.

Mr. Webb explained his vote and said that some legislation was needed upon this very important measure, but that he did not believe the bill now before the Senate, if passed, would give the relief demanded by the people of North Carolina, it giving the commissioners no powers, consequently he would vote no. If the present Legislature cannot regulate freights, &c., the next Legislature cannot.

Mr. Strayhorn said: Representing the people of my district, I voted for the minority bill, because it gave the commissioners full power to regulate freights and fares. The majority bill gives no powers; but yet, believing that its report, as therein provided, to the next General Assembly, will force that body to pass such a bill as the people demand, I shall vote against tabling. I vote no.

Mr. Purnell, bill relating to the graded schools of Raleigh township.

Bill came up on special order, to appoint weighers for the tobacco warehouses.

Mr. Jones offered a substitute.

Mr. Jones' substitute only differs from the original bill in that it regulated the fees, giving the penalty all to the county instead of one-half to the informant.

Mr. Cozart accepted this substitute for the bill.

Mr. Scott, of Rockingham, said he had taken care to examine the original bill and was opposed to it. It might be that he preferred the substitute, and would suggest to the Senator from Granville to postpone to

the 14th day of March before taking up this bill.

Mr. Cozart—No, sir.

Mr. Watson said no doubt they wanted this bill in the Senator's own county, but there was no need for it up his way; he was for giving it to the Senator's county if he wished it.

Mr. Scott, of Rockingham, said exactly so: that so far from wanting such a bill, his people had petitioned against it; he really desired no postponement, but was ready now to answer for the farmers of Rockingham; he had no objection to a provision to the bill applying to the Senator from Granville's own county.

Mr. Strayhorn said he hadn't seen the substitute, and hadn't had time to get the sentiments of his people; he favored postponement.

Mr. Cozart said he had received petitions asking for the bill from farmers in Vance, Durham, and Granville counties.

Mr. Jones said the people of those counties demanded relief; they were here en masse, and he was receiving numerous petitions from them. He had offered an amendment that this act shall apply only to the counties of Granville, Vance, Durham and Warren.

Mr. Strayhorn amended the amendment, "to strike out Durham," and said he did so because he knew nothing of this substitute.

Mr. Cozart said he had many petitions from Durham; he read to show what these warehouses charged, that in one case some tobacco brought six dollars and twenty-two cents, and they charged one dollar and fifty-seven cents for weighing. He said it was outrageous the way the farmers were handled in this manner, and stated he had in petition nearly a thousand names from farmers in Vance, Granville, Warren and Durham.

Mr. Pemberton read to the Senate an editorial in *THE NEWS AND OBSERVER* of this morning, concerning a letter received from one of the leading men in a tobacco county, who said the farmers there earnestly desired bonded weighers in these warehouses, &c., &c.

Mr. Pemberton said if these farmers desired such relief, and this bill gave it to them, then he was for the bill.

Mr. Jones spoke earnestly to his substitute; he said these people told him they demanded relief, and that it was absolutely necessary for them to have it. He pressed his substitute in favor of their interests.

Mr. Watson said there was no complaint from his people, he had not heard a word from them, and therefore he had wished his county taken out.

Mr. Strayhorn said the substitute might be perfectly fair and just, but he did not propose to vote for it now without examination, and he not only hoped it would be

postponed, but that it would be referred to the committee on propositions and grievances, that the farmers and warehousemen might go before that committee. He moved to recommit the bill.

Mr. Cozart said that farmers were now here in this Senate. To show the uprising among them, he read some warehouse charges, one where the tobacco sold for nineteen dollars and odd cents, and the charges for weighing were two dollars and thirty-seven cents.

Mr. Evans asked what warehouses the gentlemen was quoting.

Mr. Cozart replied that he had charges from the warehouses in Granville, Vance and Durham.

Mr. Jones insisted on having his amendment first adopted, excluding all other counties than Granville, Vance, Durham and Warren, and if the Senator from Orange wished Durham county either in or out, he could go before the other House.

The vote was taken, and the Senate refused to recommit. The vote was then taken on the substitute and the substitute was adopted.

Mr. Strayhorn offered an amendment to "strike out Durham." The amendment was not accepted.

Mr. Jones' amendment was then adopted, and the bill passed its second reading.

Mr. Strayhorn objected to a third reading.

Mr. Jones insisted on a third reading.

Mr. Strayhorn said he would like to have time to examine the bill; that petitions were here from Durham for it, and if it was a good bill he would like to have Durham in.

Mr. Jones' motion for a third reading was put to a rising vote—yeas 17, nays 15.

Mr. Strayhorn raised the point that it was not a two-thirds vote; that it required that to suspend the rules if objection was made.

The Chair (Mr. Pinnix in the chair) so held, and the bill lay over for a third reading, as it was not a two-thirds vote.

Mr. Strayhorn, bill in relation to official bonds.

Mr. Watson, bill to regulate railroads.

Mr. Loftin, bill for the benefit of Confederate soldiers.

Mr. Purnell, bill to amend chapter 232, laws 1879, by striking out Ephesus church. Also bill to amend chapter 278, laws 1874-75.

Mr. Dortch, bill to settle the dividing line between Warren and Vance.

Bill came up as special order relating to roads and highways, (Mr. Alexander's road bill). It was meant for his own county, but Senators had engrafted a section in it which would permit it to be adopted by the commissioners of any county. It constitutes the magistrates in every township a board of trustees. Mr. Alexander explained his bill, and said this question was bound to be tackled by this Legislature

or some other, and the sooner we did it the better. He knew it was not a popular question, but if Senators would come up and do their duty they would find it better in the end.

Mr. Pemberton offered an amendment that the bill apply to Mecklenburg only. Adopted.

Mr. Dotson said, as he understood it, any county could accept the bill or not.

Mr. McLean, bill to amend the charter of the town of Shoe Heel.

Adjourned.

HOUSE OF REPRESENTATIVES.

The House met at 10 o'clock, Speaker Rose in the Chair.

The reading of the journal was dispensed with and it stood approved.

PETITIONS

were introduced as follows:

Messrs. Hewlin, Johnston of Craven, Forbis and Lawrence, relative to the appointment of justices.

Mr. McAllister, from Cabarrus county, asking prohibition in certain localities.

Mr. Parrett, relative to the sale of liquor near Black Jack church.

Mr. Stewart, asking for a new county to be formed from the counties of Wake, Chatham and Harnett.

Mr. Lawrence, opposing the new county to be formed from the counties of Wake, Chatham and Harnett.

Mr. Gudger, relative to the sale of liquor in a certain locality in the county of Buncombe.

Mr. Montgomery, from Vance county, asking to be allowed to issue bonds for a building fund.

Mr. Lenoir, from Mitchell county, asking to be annexed to Watauga county.

Concerning a public road in the counties of Caldwell and Watauga.

Mr. Worthington, relative to the sale of liquor in certain localities.

BILLS

were introduced and passed their first reading and were referred as follows:

Mr. Forbis, to create a railroad commission. Calendar.

Mr. Stanford, to make an appropriation for the Insane Asylums. Calendar.

Mr. Beal, to regulate the purchases for State institutions. Calendar.

Mr. Thompson, relating to the repairs of bridges in Onslow county. Calendar.

To change the corporate limits of the town of Jacksonville. Calendar.

Mr. Ball, to amend chapter 73, laws of 1860-61. Calendar.

Mr. Powers, of Cleaveland, to amend chapter 135, laws of 1879. Calendar.

Mr. Sherrill, to incorporate Mott's Grove Camp Ground. Calendar.

Mr. Williams, of Sampson, to amend the ratifying clause of the bill to change the

name of the Edenton and Norfolk Railroad. Calendar.

Mr. Overman, relative to the construction of conveyances. Judiciary.

Mr. Hayes, of Swain, to annex a part of Jackson county to Swain. Propositions and grievances.

Mr. Green, of Franklin, relative to the sale of liquor near Poplar Springs and Papis Chapel churches. Propositions and grievances.

Mr. McAllister, relative to the sale of liquor in certain localities. Propositions and grievances.

Mr. Smith, relative to the sale of liquor in certain localities. Propositions and grievances.

Mr. Worthington, to incorporate the town of Harrellsville. Corporations.

Mr. Williams, of Granville, to exempt manufacturers from corporation tax in Oxford. Corporations.

Mr. Harris, of Wake, concerning the penitentiary. Penal institutions.

Mr. Overman, relating to a public road in the counties of Davie, Rowan and Iredell. Railroads, postroads and turnpikes.

Mr. Byrd, to establish a ferry across the river in Yancey and Mitchell counties. Railroads, postroads and turnpikes.

Mr. Ray rose to a question of privilege and said: In the discussion on yesterday of the no fence law for a portion of Cumberland county, I made statements, to which the gentleman from Wilkes replied in very rough language, and in reply to him I stated that the gentleman had better means by which information could be obtained than I had, for his travels over the country in the Kirk campaign had been much more extensive than mine had been. I stated this on the authority of truthful gentlemen, who told me such were facts. He then rose and stated that it was basely false, and that he had not at any time been connected with Kirk, or with that noted campaign. I concluded I had been incorrectly informed, and apologized to him for making the declaration. Since then I have had occasion to look up the gentleman's record, and find all I stated to be true, and a great deal more. We find on examination of the records filed in the Adjutant General's office that the gentleman from Wilkes was commissioned Major General in the Kirk militia, and assigned headquarters at Trap Hill, wherever that may be. This is found in the Order Book of General Fisher for 1870. Now, Mr. Speaker, when he denied that positively, yesterday, you see he stated what he knew to be absolutely false in every particular, and because I could not produce proof at that time that it was false, I apologized for doing him an injustice by telling the truth on him. We find that he not only belonged to that noted campaign, but for

services in it he drew money which was decided by the court of impeachment to be unlawfully obtained, and unlawfully squandered. I find in the treasurer's report of the expenses of the Kirk war, the following resolution :

Resolved by the Senate, That the public treasurer is hereby instructed to report at an early day a detailed account of the expenses of, and all moneys paid to the officers and soldiers of Kirk's and Clarke's militia, mentioning the name of each officer and soldier, and the amount received by each." In obedience to the requirements of that resolution we find here the names of Kirk and Bryan as having drawn money reported by the treasurer and with his certificate of its correctness attached to it, and this money was drawn by the gentleman from Wilkes, for services that he solemnly declared he never rendered. He has the cheek to do any thing, I am aware, but I do not think he would have made this declaration if he had known the records could have been produced.

This expenditure of money was one of the articles in the impeachment trial, and it was decided that the money was unlawfully squandered and unlawfully obtained. What did the gentleman then do with this blood money? Did he, like Judas, come back and return it? No, sir, his heart was harder than that of the old personification of avarice itself, and in place of having the brain and the nerve and manhood to go and hang himself, as in all common decency he should have done, he comes here and gets up in the face of the intelligence of the State and denies charges that he knows to be true. I am sorry that the necessity to show the gentleman up has arisen, but after his reckless assertions I could not do otherwise. Now, Mr. Speaker, I withdraw my apologies made on yesterday, and repeat that every word I said then is true.

Mr. Bryan then rose to a personal explanation, and during some very extended remarks said that he had never had any connection whatever with Kirk, but had been an officer in the regiment of Col. Clarke during that period; that he did not go with Kirk, and had nothing to do with him.

CALENDAR

was taken up, and the following bills were disposed of as follows:

SPECIAL ORDER

being an act to provide for the State's interest in the Cape Fear and Yadkin Valley Railroad.

The question was first upon the adoption of the minority report.

Mr. Phillips explained the minority report, and said if there was anything that his people were concerned in, it was the sale of this road which they had looked forward to for a long time. That forty-seven miles of the road was in running

order, and that from the Gulf to Walnut Cove, in Stokes county was graded, and that in his opinion any company which bought this road would lay the iron. He wanted the people of Fayetteville to have a connection to the South Carolina line, and the people along the line to have the same connection, but he wanted some provision to compel them to build the road from Greensboro to Mt. Airy. They said they would build that part of the road, but such a provision would keep them from floating their bonds. All he wanted was a provision compelling them to build the road from Walnut Cove, where the iron was laid, to the South Carolina line; that this provision only made them do what they said they would do. He was not opposed to letting them have convicts, but wanted them to work them on the northern and western branches of the road; that this bill gave them the right to work the present force of convicts until Gabriel blew his trumpet. He was opposed to their building depots, etc., until the road was completed to Mt. Airy; that grading and laying down the track was enough for them to do for any section until the entire line was graded and the iron laid. That Stokes had stood by other counties in the past when they wanted railroad facilities, and that all she asked was for a few convicts to be put on this road in that county, and that there was nothing wrong in his amendments and he hoped the minority report would be adopted.

Mr. Forbis was opposed to the minority report and in favor of the bill as it came from the Senate. The amendments of the gentleman from Stokes had as little merit in them as anything he had ever seen; that if it were possible to engraft them into the bill he would have no objection nor would the syndicate, but they were engrafted in the bill when it went to the Senate, but that after being loaded down with amendments it crawled through there like a crippled snake after two weeks, and that if it went back there the session would adjourn without making any disposition of this road. If some disposition was not made of it, it would have to be sold, for no Legislature would vote an appropriation for it, and if it was sold at public auction we would not know what we would get for it. Any such amendments would prevent them from negotiating their bonds, and he believed they would build the road to Mt. Airy and Danbury, because they said they would, and it would also be to their interest not to stop at Walnut Cove, where they could get nothing but rabbits and blackberries. When they got to Mt. Airy they would open up a large coal country. He hoped the bill would pass as it came from the Senate, without amendment.

Mr. Overman said that this syndicate

were all good men, but this bill was a clear sale, and that we did not know how long it would remain in their hands. He moved to amend the bill so as to have the convicts furnished upon the same terms as they were furnished to the W. N. C. R. R.; that it provided that they should pay in cash for the convicts; that it was only about \$20,000 a year, and that if they could not pay that they could not build the road. The bill provided that we should get mortgage bonds in payment for them, which might or might not be worth a dollar; that the people paid their taxes to support the convicts in cash, and that we ought to have cash for their services. He hoped his amendment would pass.

Mr. Power said that in 1880, when this road was in a sinking condition an appropriation of \$30,000 was made for this road upon the promise of building the road to Mr. Airy. That the people of the West had looked forward to having a road, but that the substitute of the Senate was a cold-blooded proposition to repeal the charter of this road and thereby destroy their hopes of a road. That this syndicate never intended to build the Yadkin branch. That he wanted the road sold, but would rather have a public sale than to sell under this bill and let all bidders come in. That he was opposed to the \$97,000 of bonds going into the Treasury; that they were issued for the construction of this road, and he wanted them to go for that purpose. That the love of the syndicate for the people and this road exceeded anything on earth; it exceeded the love of Damon for Pythias, or Jonathan for David. He was opposed to the bill.

Mr. Rose favored the bill, and said his people were more interested in the building of this road than any other people; that unless something of this sort was done that the road would have to be sold; that there was out now \$185,000, which was all of the State's interest; that his town and county were each out \$100,000; that the State in 1879 subscribed \$30,000 to the mortgage bonds, and those bonds were in the treasury; that the syndicate proposed to pay them with interest; that in 1882 the road was in trouble, and \$150,000 was borrowed on \$300,000 of bonds and the personal guarantee of the directors, and that in other hands there was \$20,000 of bonds, and that all would be due in April and that North Carolina would either have to pay \$170,000 or the road would have to go under the hammer; that there might be others who would be willing to bid this road in if sold, but they would never build one mile of it for they would not want to have it built for it would compete with their lines. If the sale was made to the syndicate they would pay the State \$88,000 in cash and pay the \$150,000 of bonds. The difference

between the minority report and the majority, was that the majority proposed to keep the money in the Treasury, while the minority wished to take it out of there. That a commission was appointed two years ago to sell the road for \$55,000, and that only one bid had been received, and that from Dr. Canedo; that the syndicate were North Carolinians and interested in having the road built. He hoped the bill would pass without amendments.

Mr. Rose discussed the merits of the bill at length and ably defended it.

Mr. Holt would not lay a straw in the way of the gentlemen who were opposed to this bill, to prevent their having a road, but that everyone thought the road ought to be sold. That it was to the interest of everyone who was interested in this road at all to sell to this syndicate, for if it was not sold to them it would have to be sold under execution, and some company who feared this road would be a competing line would come in and buy it, and then that would be the death knell to the Cape Fear and Yadkin road. That the gentlemen of the syndicate were men of integrity of the highest order, and that he believed what they said, and that when the time came that he could not trust such men he should bid farewell to his trust in all mankind. He was opposed to any amendments which they said they could not accept; that when iron was laid to Walnut Cove the gentlemen who opposed this bill would then have better railroad facilities than they now had.

Mr. Holton said his people were interested in this road and had looked forward to its completion for a long time, but it looked like bad faith when the representatives of the Yadkin section had done all in their power to help this road along, to now, when a part of it was graded, come and propose to sell the road, and in that sale to cut his section out. That Fayetteville, two years ago, had acted in bad faith to its creditors in annulling its charter and getting out of paying the money which was subscribed for this very stock of which the gentleman had boasted of. That if they intend to build the road to Mt. Airy what objection could be to placing these amendments on this bill. That the people of his section had stood by every railroad enterprise in the State, and all they asked for was that this convict labor be given them to build this road up the Yadkin Valley. If the Legislature wished to leave that section out in the cold they could vote for this bill, but if they did not intend to act unjustly towards them, then he hoped they would adopt the minority report. That the road was good for every dollar it owed or the syndicate would not want it. That under this bill it could be transferred and it might go to parties who would not com-

plete it. He hoped the bill would not pass.

Pending the discussion of this bill by Mr. Holt, on the hour of adjournment arrived, and the House adjourned.

NIGHT SESSION.

House met, Mr. Bailey, of Mecklenburg, in the chair.

The unfinished business of the morning, being an act to provide for sale of the State's interest in the Cape Fear and Yadkin Valley Railroad.

Mr. Holt said there were three questions, viz: should the State sell to this syndicate? abandon it to its fate? or should let it go to a sale? For it to go to a sale was fatal, and to abandon it was likewise fatal, and he thought that the best thing was to sell to the syndicate. He was willing for any amendment which the syndicate would accept, but if the amendments were passed and the syndicate could not accept, that the road would have to go to a sale. He favored the bill as it came from the Senate.

Mr. Forbis was opposed to Mr. Overman's amendment, and stated that the convicts were paid according to the work they did, which amounted to the same thing as if they paid for an able-bodied man's work; that many of these convicts were sick half of the time, and to make the road pay for them as roads did for well convicts would be unjust. He wished that an amendment could be put which would compel them to build to Mt. Airy, Danbury and Murphy, but he honestly thought it could not be done without preventing the syndicate from negotiating their bonds, and if that was prevented, the very object which the minority sought to accomplish would be lost, for they would be so hampered that they could not build any of it; that the minority proposed to give the syndicate all they paid for convicts back to them, provided they would build these branch lines, which was in effect paying them to do just what their interest would force them to do. That the amendments of the minority would force them to do absolutely nothing, for if they did not decide to build to Mt. Airy they would have no use for convicts, and would not care to keep them anyway; the minority amendments were not worth the snap of his finger, as far as forcing them to do anything. He hoped the bill would pass.

On motion, the further consideration of this bill was postponed, and made the special order for to-morrow, at the expiration of the morning hour.

On motion of Mr. Strudwick, the Hon. Azariah Graves, of Caswell, was invited to a seat on the floor of the House. Mr. Graves is the brother of Calvin Graves, who, as president of the Senate in 1855, gave the casting vote in favor of the charter of the N. C. R. R.

Bill to repeal chapter 141, laws 1876-'77, failed to pass its second reading.

House adjourned.

SENATE.

FORTY-FOURTH DAY.

February 22.

The Senate was called to order at 10 o'clock.

Prayer by Rev. Dr. Atkinson.

The President of the Senate (Mr. Robinson) said he felt it his duty to remark that a decent respect for the religious worship with which the daily sessions are opened was incumbent upon all. Such religious exercises have the sanction of all good people, and have been observed by the General Assembly since his connection with public affairs. He had no special complaint now to make of Senators for a want of respect for the religious exercises at their desks at the opening each day, and what he said now was more particularly intended for parties outside of the Assembly who may be here on business matters. While visitors are always welcome to the Senate, he must say that unless better order is observed and more respect for the religious exercises shown than was the case this morning in this chamber, he would feel it his duty to request the doorkeeper to invite such persons to retire from the chamber until the opening prayer is concluded. He hoped it would not be necessary to refer to this matter again.

MEMORIALS, PETITIONS, ETC.

Mr. King, of Pitt, memorial of officers and members of Edgecombe Guard asking for relief for Warren Cobb.

Mr. Poole, petition from citizens of Beaufort, asking that laws of 1878 be amended in regard to practice of dentistry.

Mr. Lyon, from citizens of Bladen, asking for appropriation to aid in building a road from Yorkville to Lumberton, Robeson county.

By the same, petition of citizens of Bladen, asking a new township.

Mr. Webb, from citizens of Burgaw, in Pender, asking that their prohibition law be not repealed.

Mr. King, of Pitt, resolution directing the public Treasurer to pay Mr. Cobb \$600.

BILLS.

Mr. Poole, to amend the laws relating to the practice of dentistry.

Mr. Dortch, to separate the Deaf and Dumb from the Blind Institute (by request.)

Mr. Dortch, making it unlawful for any railroad, steamboat company, &c., to give the Governor or any State officer, judicial officers or members of the Legislature, or delegates to political conventions free passes, the act to take effect the 1st of June, 1883. Asked to be printed. So ordered.

Mr. Webb, resolution relating to justices

of the peace; resolving to go into election at 12 m. Friday, March 2.

Mr. Pemberton, bill to create the office of railroad commissioner and for other purposes.

Mr. Neill, to prohibit sale of liquor in three miles of Cain Baptist church, in Yancey county.

Mr. Webb, to amend law to raise revenue.

Mr. Whitford, to amend the constitution of North Carolina, section 1, article six.

Mr. Caho, to incorporate the Independent Order of Good Sons and Daughters of the East, by request.

Mr. Webb, relative to the county treasurer of the county of Cleaveland.

Mr. Webb, to incorporate Mount Holly Manufacturing Company, Gaston county.

Bill relating to roads and highways. (Mr. Alexander's bill,) came up as unfinished business on its second reading. Applies to only such counties as may choose to adopt it. Passed, ayes 38, nays 31.

Mr. McLean, by consent, petition from citizens of Richmond and Robeson counties, asking appropriation for the State Guard.

Mr. Watson's road bill providing an alternative method for keeping in repair the public roads of Forsyth, came up as a part of the unfinished business of yesterday with Mr. Alexander's bill. By consent, Cabarrus and Buncombe were put in the bill, and also Northampton and Bertie were asked to be added by Mr. Mebane, but Mr. Watson feared that to accept these two would jeopardize the fate of his bill as he was informed that these two counties would be stricken out in the other House, and he wished no other counties added unless he was assured they would pass in the other House. Mr. Caho requested to insert Pamlico, and gave assurance that it was desired by his member in the House. It was accepted. Mr. McLane could not give the assurance of his amendment passing with his members, and rather than jeopardize the bill withdrew his counties. Bill passed second reading, yeas 38, nays 0.

THE JUSTICES' BILL.

Bill came up as special order to amend the constitution of the State so as to create two additional Justices of the Supreme Court and to provide for the election of the same.

Mr. Payne said he did not rise for the purpose of discussing the bill as he did not think any discussion necessary. He stated the absolute necessity for such increase, and said the relief was not necessary alone for the Supreme Court, but for the State of North Carolina.

Mr. Morehead wished to know if it was so that they could be elected two at one time and three at another.

Mr. Payne replied that it was.

Mr. Black asked the time of the election, to which Mr. Payne replied at the next general election in 1884.

Mr. Boykin asked if the amendments were submitted to the people at the same time with the election of the justices what would be the effect if those amendments were defeated. He thought it a bad precedent.

Mr. Payne replied there was a precedent for it, it had been done before in the case of delegates to a constitutional convention.

Several Senators explained their votes.

Vote stood—yeas 24, nays 13; so the bill passed its second reading.

The Chair inquired of Mr. Dortch his construction of the constitution as to the number of votes required.

Mr. Dortch replied that at former sessions on the subject it was always held that three-fifths of those present, provided there was a quorum, and not three-fifths of the whole number, in either house, could adopt an amendment to the constitution.

The bill was put on its third reading—yeas 26, nays 11. The bill then passed its third reading.

Mr. Dortch, (by request) bill to incorporate the North Carolina Savings Bank.

A RAILROAD BILL.

Bill came up as special order to encourage the building of a railroad from some point on the Western North Carolina Railroad, between the town of Salisbury, in Rowan county, and Newton, in the county of Catawba, to the Tennessee or Virginia line, via Taylorsville and Wilkesboro. (Mr. Linney's bill.)

Mr. Linney spoke in support of his bill stating some amendments he should make, one of which was to strike out Newton and put in Hickory. During his remarks he was calling the attention of the Senator from Forsyth to the almost sacredness of the soil of Alexander, and telling of a little green mineral discovered by a citizen of Iredell county, Mr. Allen Stephenson, called the Hiddenite, so valuable that a Junebug could fly away with a 1000 dollars worth of it, when the Senator from Forsyth went to the new map of North Carolina on the wall to look for Alexander, and Mr. Linney said to him, "Don't look on that miserable old map, it don't even show we've got a spring in the county."

Mr. Watson said he was willing to support the bill of the Senator from Alexander, so artfully and ably discussed by him, if he would be willing to do a little for his, Mr. Watson's people. The Senator's county of Alexander would just about do for the foundation of one of the warehouses of his town; you could not build one of the Winston warehouses in Alexander without trenching upon the soil of Iredell. Mr. Watson said he did not wish to prevent the building of a railroad to Statesville, but he wished to

offer an amendment so that if the North-western North Carolina Railroad Company desired to extend its road up to Patterson, it should have the right to do so, and thus have three roads placed in competition, and place his people in competition with the people of Statesville in the building of that road. He moved to make the bill the special order for to-morrow, in order to draw such an amendment.

Mr. Linney replied, saying it was just the desire of the Senator from Forsyth to kill this bill. (Mr. Watson denied this.) Mr. Linney continued, pressing his bill, saying his county was poor; his county, that he had spoken of as not being big enough to build a Winston warehouse on, was poor because his people had to haul their tobacco to these towns to be extorted from by these houses. He replied to the sneers and the ridicule that had been leveled at his county by Senators. He told Mr. Watson, who, he said, was an able canvasser, that to Stokes county he owed his political life; that for Stokes county he had only asked a little spur, and they had given it to him, twenty-five thousand dollars to build ten miles, and he should admit himself they had done enough for him, but he thinks that his little town is the hub of the universe, and he wants to grab everything.

Mr. Linney read the statistics of Alexander; value of farming utensils \$52,694; stock in incorporated companies \$710; while Forsyth's stock is \$58,220. He said the Senator from Forsyth should not resort to ridicule; it was a weapon men of brains should not use.

Mr. Watson replied, saying a word for the county of Forsyth; it was only half the size of the county of Wilkes, and yet paid taxes to the State on nearly four million dollars worth of property. He paid a tribute to Mr. Belo, to whom he said a monument should be erected; for when president of the road from Greensboro to Winston he returned every dollar of the special tax bonds (\$30,000 a mile, granted the road) to the Treasury here, declaring that he was opposed to wasting the credit of the State. He said he was not antagonizing the Senator's county; the Senator did him wrong in so accusing him.

Mr. Clarke spoke in support of Mr. Linney's bill, and hoped it would not be postponed, but that the Senate would pass it today.

Mr. Berry said a great deal of the Senate's time was consumed in the discussion of these bills, and he should move the previous question; but withdrew it for Mr. Alexander.

Mr. Alexander explained the action of the committee in favoring the bill, and said he thought it a wise idea in arranging for one road to build another. The people of the

section proposed to be benefitted would be satisfied with this plan. It is the only plan of which the finance committee have any knowledge that will insure a railroad through this section.

Mr. Berry called the main question.

Mr. Alexander asked the ayes and nays on the passage of the bill. Ordered.

The Chair—Mr. Pemberton in the chair—said the first question was on the adoption of the amendments of the Senator from Alexander. The amendments were adopted.

The question was then on the passage of the bill upon its third reading.

Mr. Watson explained his vote, saying the bill was introduced during his sickness and he had never had the time for formulating an amendment to it. He said that it had cut off Winston and all his county. The Senate had cut him off from time to offer his amendment; they had shut him off with the previous question, and of course all he could do now if he had any manhood left was to stand here and vote no.

The vote stood, yeas 27, nays 12, so the bill passed its third reading.

Mr. Clarke moved to reconsider the vote by which this bill passed, and to lay that motion on the table.

The motion did not prevail. Mr. Clarke withdrew his motion.

Bill came up as special order, to change the mode of electing school committeemen.

Mr. Lovill argued that the bill was not unconstitutional, and he thought the passage of the bill would make the school system more efficient.

Mr. Black opposed the bill; it would be extremely unwise to pass it.

Mr. Pemberton hoped the bill would pass, it was clearly constitutional and directly in the interest of the people.

Mr. Loftin said that one little man in the town of Kinston could sign his name and send here with more influence than his voice representing three thousand voters. He was for a free election before the people in one ballot-box. He opposed the bill.

Mr. Hill opposed the bill. He told his constituency on the campaign that he was opposed to electing school committeemen. He thought the bill unconstitutional.

Mr. McLean opposed the bill. He thought the title of the bill should be changed to that of a bill to do away with the present system of county government.

Mr. Watson said it was the duty of Democrats to vote for this bill. He said he was appealed to by his people to divorce the school law from county government.

Mr. Caho favored the bill.

Mr. Gray opposed it.

The previous question was called and put, Mr. Purnell in the chair. The call was sustained.

Mr. Strayhorn got the ayes and noes on the passage of the bill. The vote stood

Ayes 15, noes 20, so the bill failed to pass third reading.

Mr. Farmer called up the bill for a graded school in the town of Wilson. Passed third reading—ayes 37, noes 2.

Mr. Poole called up the bill empowering counties, cities, townships and towns to subscribe to the capital stock of the Albemarle and Raleigh Railroad Company.

Mr. Pinnix arose to a question of personal privilege, and said: "I see from the NEWS AND OBSERVER that Senator Payne, in discussing the railroad commission bills, is reported as saying, (and he is reported correctly): 'It would be doing a very great injustice to the people of the State to provide for the regulation of freight and passenger fare, when with one or two exceptions, it was admitted by every Senator on this floor that what was proposed by the minority bill was absolutely unconstitutional.'" My excellent friend is mistaken as to the number of Senators entertaining this opinion. The Senator from Wayne, Mr. Dortch, a friend of the majority bill; the Senator from Sampson, Mr. Boykin, the author of that bill; the Senator from Guilford, Mr. Morehead; and from Forsythe, Mr. Watson; from Rockingham, Mr. Scott; from Henderson, Mr. Jones; from Cleveland, Mr. Webb; from Craven, Mr. Clarke; from Orange, Mr. Strayhorn, all join me in the opinion that the Legislature has the constitutional right to do all set forth in the minority bill. While the Senator from Wake, Mr. Purnell; from Robeson, Mr. McLean; from Chatham, Mr. Womack; join my friend in the contrary opinion.

Thus it will be seen that I have nine able and distinguished lawyers on my side, while he has only three—three to one.

I desire to make this statement, so that it may not go out to the public uncontradicted, that nine lawyers besides myself believed the minority bill to be unconstitutional, while eight of them voted for and advocated the passage of said bill.

Adjourned.

HOUSE OF REPRESENTATIVES.

House called to order by Speaker Rose at 10 o'clock.

Prayer by Rev. Dr. Atkinson.

PETITIONS.

were introduced as follows:

Mr. Tate, from citizens of Burke county against prohibition at Zion church.

Mr. Sherrill, concerning the corporation of Conover.

Mr. Barrett, relative to the sale of liquor near Black Jack church.

Mr. Reynolds, relative to the appointment of R. P. Price as justice of the peace.

BILLS

were introduced, passed their first reading and were referred as follows:

Mr. Waddell, relative to the use of nets, etc., in fishing in New Hanover county. Fish.

To prohibit the taking of oysters in a certain locality. Fish.

Mr. Bailey, of Wilson, to repeal chapter 73, laws of 1876-77. Fish.

Mr. Stanford, to protect stockholders of corporations. Internal improvements.

Mr. Gudger, relative to the sale of liquors in certain localities. Propositions and grievances.

Mr. Tate, to prohibit the sale of liquor at Rutherford College. Propositions and grievances.

Mr. Wilcox, to promote the efficiency of the N. C. Board of Health. Propositions and grievances.

Mr. Bledsoe, to incorporate the Raleigh Water Works Company. Corporations.

Mr. Page, to incorporate the town of Pollocksville, in Jones county. Corporations.

Mr. Phillips, to extend the time for the organization of the Danbury Iron and Steel Manufacturing Company. Corporations.

Mr. Tate, to aid the North Carolina Industrial Association. Finance.

Mr. Bailey, of Mecklenburg, to prescribe the manner of settling appeals in criminal cases. Judiciary.

Mr. Harris, of Wake, to prevent the undue and excessive punishment of certain trifling offences. Judiciary.

Mr. Sherrill, to amend section 4, chapter 15, private laws of 1881. Calendar.

Mr. Nixon, to repeal chapter 232, laws of 1879. Calendar.

To repeal chapter 234, laws of 1881. Calendar.

Mr. Stanford, for the relief of the sureties of John A. McArthur, late Treasurer of Duplin county. Calendar.

Mr. Strudwick, to amend the Durham Graded School law. Calendar.

Mr. Poe, relative to the use of "stickers" and other bogus tickets in elections. Calendar.

CALENDAR

was then taken up and disposed of as follows:

THE SPECIAL ORDER.

the unfinished business of yesterday and last night, being an act to provide for the sale of the State's interest in the Cape Fear and Yadkin Valley Railroad.

Mr. Page moved to adjourn at 12 o'clock to 7 1-2 o'clock, in memory of Washington's birthday.

The chair ruled the motion out of order.

The bill was then considered.

Mr. Tate said the stock in this road was worth \$250 a share, and that the reason that \$10 was offered was for the consideration of advantages received in the bill, and that this consideration would make a contract. He had no objection to fixing a time

for which convicts should be furnished, but he thought that ought to be under the control of future legislation, and he moved to amend so as to subject it to the control of future legislation.

Mr. Phillips thought a time ought to be fixed, but his amendment would be amply sufficient, and he would like for this Legislature to say if they were willing for them to have convicts above Walnut Cove or not.

Mr. Rose had yesterday objected to the amendment of the minority report, but said the gentleman from Stokes (Mr. Phillips) would offer an amendment modifying his minority report, which would be acceptable to all parties.

Mr. Phillips then sent forward his amendment to the minority report.

Mr. Bower offered a substitute providing that one-half of the convicts should be kept at work on the Mt. Airy line and Yadkin Valley line, each, after June 1, 1885.

Mr. Bower said that after the road was built to the South Carolina line, which would be about 1885, that then the Mt. Airy line ought to be built; that it cost \$20,000 a mile to build roads in North Carolina, and that this road had cost \$1,400,000; that now to sell it for \$88,000 would be a good trade. They ought to have a good trade, but he wanted something to compel them to build up the Yadkin valley.

Mr. Rose said that he was opposed to Mr. Bower's amendment; that this road, according to Mr. Bain's certificate, had only cost the State \$185,000. He would admit that the difference between \$185,000 and \$1,400,000 was a small matter.

Mr. Bower asked if the State had not at two different times given this road \$600,000; \$400,000 at one time and \$200,000 at another.

Mr. Rose. Yes, but had compromised part of the debt at forty cents and the rest at twenty-five cents on the dollar. That part of the track was now graded and needed repairing, and that it would be unjust to prevent them from doing this. He hoped the bill would pass with the amendments which had been accepted.

Mr. Robins thought that it was necessary to enable the syndicate to build the road to Mt. Airy and to allow them to float their bonds, and that the amendment of Mr. Bower would prevent that; that his friend struck at this bill like a "blind adder;" first, it was a bad contract, and then it would not do, because it did not specially provide for the branch in which he was specially interested. He favored the bill.

Mr. Bower only wanted some provision made to force the Patterson branch to be built. That \$25,000 of the bonds were

given to build the road to some mills in Randolph county, and \$25,000 to build to Danbury, and only \$20,000 to build to Mt. Airy, a distance of 80 miles.

Mr. King spoke in favor of the bill, and thought that the Patterson branch would be built, that it would not do to bind them down too tight as to the convicts, as the Western North Carolina railroad had the right to demand her 500 convicts from the State, and that if this was done then this road would be hampered by such a provision.

Mr. Powers, of Cumberland, thought that all differences had been settled, and that the bill would pass without opposition, but was sorry to see the opposition of the gentleman from Caldwell. The road had to be sold or it would be lost to the State; it had virtually been on sale for the last two years and could not be sold. He thought it a good trade, and hoped the bill would pass.

Mr. Bower's amendment was voted down by 63 to 43.

Mr. Hayes, of Robeson, then discussed the bill, showing the interest which his county had in the bill, and said as the bill came from the Senate it did not require the road to go to Shoe Heel. With that provision he would support it.

The minority report, as amended, was adopted.

The bill was further discussed by Mr. Lenoir and others.

Mr. King called the previous question, the call was sustained, and it was so ordered.

Mr. Tate's amendment was adopted.

The bill then passed its third reading by the following vote:

YEAS—Messrs. Abbott, Anderson, Bailey, of Mecklenburg, Bailey, of Wilson, Barrett, Baum, Beall, Belcher, Bennett, Bledsoe, Bradley, Bullock, Bunn, Byrd, Cain, Candler, Crouse, Cowell, Forbis, Fulton, Gatling, Glenn, Green of Franklin, Green of New Hanover, Gudger, Hamilton, Hardy, Harris of Davidson, Harris of Wake, Hayes of Robeson, Hayes of Swain, Henderson, Holt, Houston, Jenkins, Johnson of Craven, Johnson of Johnston, King, Lawrence, Leazar, Lenoir, Liles, McAllister, McCotter, McCurry, McLoud, Marsh, Matheson, Mathis, Myers, Newby, Overman, Page, Patrick, Peebles, Person, Philips, Posey, Powers of Cleveland, Powers of Cumberland, Proctor, Ray, Reid of Gaston, Reynolds, Riggs, Sandifer, Sherrill, Simmons, Smith, Stanford, Stewart, Stokes, Stringfield, Strudwick, Tate, Thompson, Tomlin, Turner, Walker, Williams of Granville, Williams of Sampson, Robins, Williamson, Wilson,—84.

NAYS—Messrs. Baker, Bower, Bridgers, Bryan, Covington, Cheek, Dixon, Eaton, Frayser, Grissett, Hewlin, Holton, Leary,

Mitchell, Montgomery, Newell, Nixon, Pittman, Poe, Pruitt, Reade of Person, Steed, Sutton, Temple, Waddell, Wilcox, Worthington—27.

Mr. Holt arose to a question of personal privilege on a statement in the "Farmer and Mechanic," relative to his being closeted with Gov. Jarvis and others, in connection with the railroad commission bill; and said that he recognized the right of no man to inquire into his private business, but that his acts, both public and private, were open to every one; that the statement contained in said paper was false; that he was there after the House adjourned, but not a word was said about railroads, and that the greater portion of the party left in less than five minutes after he entered the room; that it was well known that Capt. Shotwell was in a controversy with Governor Jarvis, but that he (Holt) had nothing to do with that, they must fight it out between them. Capt. Shotwell was a personal friend of his, and he did not think he would do him an intentional wrong; there was no truth in the paragraph.

SPECIAL ORDER.

To incorporate the town of Caswell, in Pender county. Passed its second reading.

CALENDAR (resumed.)

To incorporate the Bank of Salisbury. Passed its third reading.

To provide for local assessments in aid of public schools. Pending the consideration of this bill the House adjourned.

NIGHT SESSION.

House met at 7 1-2 o'clock, Mr. Speaker Rose in the chair.

CALENDAR.

Unfinished business of to day:

An act to extend aid to schools by local assessments. Passed its second reading.

SPECIAL ORDER

for this hour was then taken up, it being an act to amend title 12, of the Code of Civil Procedure. Informally passed over.

CALENDAR (resumed.)

An act supplemental to an act to incorporate Newton cotton mills. Passed its third reading.

Mr. Forbis moved to reconsider the vote by which the bill relative to the estates of deceased persons failed to pass its second reading.

Mr. Robins moved to table, which was carried.

To enable the commissioners of Vance county to build a court house, etc. Second reading.

To establish a graded school in the town of Monroe. Third reading.

To establish graded schools in Goldsboro township. Third reading.

To amend chapter 8, laws of 1880. Third reading.

To amend a part of chapter 232, laws of

1879, relating to churches in Hyde county. Third reading.

To authorize the publishing of a geography for North Carolina.

Pending the consideration of this bill the chair announced the

SPECIAL ORDER,

to make appropriations for the Insane Asylums, (appropriating \$58,000 for the asylum at Raleigh, \$40,000 for the one at Morganton, and \$20,000 for the one at Goldsboro.)

Mr. Overman moved to amend by striking out the \$35,000 for the completion of the asylum at Morganton.

Mr. Robins spoke to the amendment, and referred to the item of whisky on the general bill of expense, bought from Pescud, Lee & Co. He wished to know who was the company.

Mr. Page—Will the gentleman move a committee of investigation be appointed?

Mr. Robins—I would if I thought they would not go there and confine their investigations to whisky, &c., bought of Pescud, Lee & Co?

Mr. Wilcox asked if he meant any reflection upon the officers of the institution.

Mr. Robins—No, sir, nor upon any gentleman of the committee, but all I want is the lights turned on. I want to know who is Pescud, Lee & Co?

Mr. Bennett—I am informed that Dr. Grissom is the company in the firm of Pescud, Lee & Co.

After a discussion, participated in by Messrs. McLoud and others, the amendment of Mr. Overman was lost.

The House adjourned.

SENATE.

FORTY FIFTH DAY.

FRIDAY, February 23, 1883.

The Senate was called to order at 10 o'clock, Mr. Boykin presiding.

Prayer by Rev. W. R. Gwaltney.

PETITIONS.

Mr. Webb, of citizens of Cleveland county, asking that prohibition be not granted in two and a half miles of Patterson Spring church.

Mr. Evans, of farmers of Caswell for a stock law.

Mr. Alexander, resolution in favor of Alfred Williams & Co.

BILLS.

Mr. Ramsay, forbidding local option where prohibition prevails.

Mr. Neill, to prohibit liquor in three miles of Bald Creek Methodist church, in Yancey county.

Mr. Richardson, to amend the stock law in Battle's Revisal.

Mr. Pemberton (by consent) called up the bill to authorize the commissioners of Cabarrus to levy a special tax. Passed its second reading—yeas 37, nays 0.

Mr. Black, by consent, called up bill to authorize the sale of the poor house and lands in Randolph county, and it passed third reading.

Mr. Farmer had bill for graded school at Wilson put on its third reading. Passed—yeas 34, nays 0.

Mr. Walton, bill to amend the charter of the Granville Railroad Company, was called up, and passed its third reading.

Mr. Dortch said he was directed by the committee on the Code to introduce a bill and have it put on its several readings immediately; that the report of the code committee would be offered to-morrow. The bill was offered and read. It is a supplement to the Code providing for its publication, distribution, &c.; provides for two volumes, and if necessary may be stereotyped and published in the State or out of it as the commissioners may choose, but giving preference to the State; that the Code will include only such parts of the revenue act as the commissioners may see fit to take in, that there shall be published of the Code not exceeding ten thousand copies of each volume, and provides for free distribution to the government and State officers, all the judges and solicitors, and county officers, including registrars, magistrates and sheriffs, all the members and clerks of the Legislature. Bill passed third reading.

Mr. Ramsay called up the bill to amend the charter of the town of Salisbury. Passed second reading—ayes 38, noes 0.

Mr. Richardson called up the bill to amend the law in Battle's Revisal so as to give the register of deeds time—making it December instead of September—to post the county accounts. Passed third reading.

Mr. Linney, bill to prevent negligence about railroad cars, and to prevent persons from injuries of the same.

Mr. Berry's bill for a graded school at Lenoir, in Caldwell county passed its second reading, ayes 36, nays 31.

Mr. Webb asked a suspension of the rules, and the bill to amend the act to incorporate Spring Shoals manufacturing company, passed its third reading.

Mr. Morehead asked that the bill to amend the charter of the city of Greensboro be placed on its reading. Passed its third reading.

On motion of Mr. Dortch, the calendar was placed at the disposal of the President of the Senate, for the rest of the session.

Bill to incorporate the Hoffman and Troy railroad company, passed its third reading.

Bill to establish a standard weight of a barrel of pork—with amendment adopted, making the standard weight two hundred pounds—passed its third reading.

Substitute from the committee to the bill,

preventing the running at large of live stock in certain parts of Craven county.

Mr. Clarke spoke in favor of postponing, and read a letter from Enoch Wadsworth, saying there would be a petition sent in a few days of influential names against it.

Mr. Whitford pressed action at once on the substitute, and said the people of Craven demanded it.

Mr. Dortch called the previous question.

Mr. Clarke asked the yeas and nays on adopting the substitute. Ordered. Vote stood—yeas 22, nays 11. Substitute passed second reading.

Mr. Mebane asked, on the above vote, whether in the levy of tax there was tax on the poll.

Mr. Whitford replied that there was no poll-tax.

Mr. Mebane said he would vote yea.

[Mr. Mebane is the colored Senator from Bertie.]

Mr. Clarke then amended to submit the law to the vote of the people, and asked the yeas and nays. Ordered.

Mr. Dortch said this being a property assessment only, he could not see the propriety in submitting it to a general vote.

Mr. Clarke raised the question that under the constitution, as a tax was levied, the bill could not pass three readings the same day.

The chair (Mr. Boykin) held that the bill provided for an assessment, and not a tax, and therefore did not require the yeas and noes.

Mr. Dortch stated that he agreed with the chair.

The vote stood: Ayes 10, noes 28, so the amendment was lost, and the substitute passed third reading.

Mr. Evans called up the bill to protect the farmers of Caswell, which was put on its readings.

Mr. Strayhorn offered an amendment, leaving it first to the qualified voters of Caswell county. He spoke to the amendment.

Mr. Pinnix said there never was a bill before the Senate he would take more pleasure in voting for; it was for the county of his nativity, and if the fences of Caswell were down there wasn't half enough timber in the county to put them up—not one-fifth of the county was in original forest, the most of its timber was in second growth pine; the bone and sinew of that county who had to pay the taxes were in favor of this law. This thing has to come. In all old counties it has come. And why not let it come before all the timber is gone. He hoped the Senators on this floor would vote down that amendment.

Mr. Webb said he thought this matter fully understood, and he called the previous question.

Mr. Strayhorn asked for the yeas and

nays on his amendment. Ordered. Yeas 12, nays 25, so the amendment failed.

Bill was put on its second reading—passed, yeas 23, nays 13.

Mr. Morehead offered an amendment charging the tax levied in the bill to a property assessment, not to exceed ten cents on the hundred dollars worth of real estate, and that the law should go into effect upon the completion of the fence around the county.

Mr. Evans accepted this amendment. The bill then passed its third reading.

Mr. Dotson, resolution relating to the contract for lease of land alleged to have been made by the Board of Directors of the penitentiary.

A bill to incorporate South Mills in Camden county passed third reading ayes 31 noes none.

Bill to provide an alternative method for keeping in repair the public roads of Forsyth county.

Mr. Abane's amendment offered yesterday putting in Northampton and Bertie was accepted, also amendment from Mr. Strayhorn adding Durham and Orange; the counties of Pamlico, Cabarrus and Buncombe were inserted yesterday. Bill passed third reading, ayes 36 nays none. This was Mr. Watson's bill.

Bill relating to roads and highways, Mr. Alexander's bill.

Mr. Strayhorn also asked for Durham and Orange to go into this bill. Accepted. Mr. Jones asked that Henderson go in. Accepted.

Buncombe, Granville and Madison were also added.

Mr. Purnell added Wake. Bill passed third reading—yeas 37, nays 0.

Bill to incorporate the town of Garner Station, in Wake county, passed third reading.

Bill to amend and re-enact concerning the charter of the Danville and New River Railroad passed second reading—yeas 36, nays none.

Bill to repeal chapter 316, laws 1881, concerning prohibition at Best Station, in Wayne county, passed third reading.

Bill to amend chapter 173, laws 1881, passed third reading.

Bill to incorporate the Acme Manufacturing Company passed third reading.

Bill to amend laws as to ferries passed third reading.

Bill to establish a monetary table passed third reading.

Bill to give a new charter to the Roanoke Navigation Company. The bill was read.

Mr. Goodwyn opposed the bill; that it invested too much power, more than any other charter or corporation.

Mr. Poole wished to amend it and have the bill recommitted to the judiciary committee; he thought it gave extraordinary

powers and didn't wish any chance for Billy Malone at readjustment with that company. The bill was recommitted. It had passed the House.

Bill to promote female education. Mr. Pemberton explained that it referred to the Greensboro Female College. Passed third reading.

Bill in relation to the appointment of cotton weighers for Goldsboro, passed third reading.

Bill prohibiting sale of liquor in two miles of Nahunta Friends' church, in Wayne county, passed third reading.

(Mr. Morehead in the chair.)

Bill to incorporate town of Princeville, in Edgecombe. Mr. Gray amended leaving the act just to the vote of the people. Adopted. Bill passed third reading.

Bill authorizing and directing the board of directors of the penitentiary to furnish stone for the erection of a monument at Goldsboro to the Confederate dead. Mr. Dortch's bill. Passed third reading.

Bill to provide a room in the agricultural building for the sessions of Supreme Court, and also a building for the miscellaneous and Supreme Court Library. Mr. Poole's bill. It remodels the western end of the building for the Supreme Court, and puts an addition for the library, the room now being used as a library to be used as a State depository for the keeping of the great seal and the State records. It provides for the sale of Camp Mangum to help do this, besides appropriating ten thousand a year for two years, etc.

Mr. Linney moved to strike out Camp Mangum wherever it appears, as we might need it for a penitentiary farm.

Mr. Watson considered the bill a most important one, and was in favor of it, but he thought the cost should be more fully prescribed. We should know exactly what would do for the building, and not have other legislatures to come here and help finish it. He thought twenty thousand dollars enough.

Mr. Poole spoke to his bill, saying he did not see how the amount of costs could be limited any more than in this bill. He explained the necessity for such building at once.

Mr. Linney believed a hundred thousand dollars might be spent under this bill—there was no limit to the convict labor—no limit to the material. He moved to recommit the bill and have it printed.

Mr. Poole said the effect of that would mean to kill the bill; he hoped the gentleman would offer any amendments he wished, and they would discuss them, but protested against recommitting.

Mr. Watson wanted to pass some such bill, and hoped it would be postponed till to-morrow, that better guards might be placed around it.

Mr. Linney sent up amendments to strike out section 5.

Mr. Purnell hoped the bill would be postponed and critically examined; the drawings and specifications could be found in the office of the Commissioner of Agriculture. He believed the Supreme Court room and libraries ought to be relieved of their crowded condition, but was as much opposed to extravagance as anybody on the floor. He had consented to a report of the bill without binding himself to it in any way.

Mr. Scott said he thought the sale of Camp Mangum should be stricken out, and that there should be a limit fixed to the amount to be appropriated for extending the building; relief is needed; it is too late now to recommit and print the bill; postpone it till to-morrow and Senators can by that time mature their amendments so as to strike out "sale of Camp Mangum," and fix the amount to be expended on the structure.

Bill to incorporate the town of Third Creek, in Rowan, passed third reading—yeas 31, nays 1.

Bill to incorporate the Asheville & Burnsville Railroad Co. passed third reading.

Bill to prevent felling of trees, etc., in Beaver Dam Creek, in Cleveland county, passed third reading.

Bill to incorporate Marvin, in Anson county, passed third reading.

Bill to incorporate Mt. Holly Manufacturing Company, in Gaston county, passed third reading.

Bill to amend chapter 25, laws 1889, extending time for levying special tax in Beaufort county, passed third reading.

Bill to amend law 30, to provide that where contract is made in the justice's of the peace own county, he can issue process in another, passed third reading.

Mr. Caho, bill to repeal chapter 79, laws of 1868-69, and chapter 150, laws of 1881, relative to the swamp lands belonging to the State Literary Board.

Mr. Alexander, bill relating to construction of dams across rivers that divide counties.

Resolution relating to appointing magistrates next Friday was adopted.

Adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 23, 1883.

House met at 10 a. m., Mr. Speaker Rose in the chair.

Payer by Rev. Mr. Rose.

The reading of yesterday's journal was dispensed with.

PETITIONS.

From citizens of Bertie county, asking that the sale of liquor be not allowed at Perry's X Roads, in said county.

From citizens of Dallas township, Gaston county, against a change of the stock law.

From citizens of Carteret county, to repeal a prohibitory law.

From citizens of Caswell, protesting against the passage of a stock law.

From citizens of Edgecombe, asking the repeal of tax on whiskey.

From citizens of Brinkleyville, Halifax county, asking the appointment of magistrates.

From citizens of town of Windsor, praying the extension of the corporate limits of said town.

Memorial from citizens of Charlotte, against taking away the election of Mayor from the people.

From citizens of East Lake, rare county, asking the repeal of the prohibitory liquor law.

From board of commissioners of Dare county, asking for the passage of a bill to authorize them to call an election in the several townships upon the question of fence or no fence.

From same, to levy tax for the support of the poor.

INTRODUCTION OF BILLS.

By Mr. Dixon, to establish a graded school for Hookerton township, Greene county.

Mr. Bailey, to amend chapter 234, laws of 1881, and to re-enact chapter 31, private laws of 1873-74.

Mr. Speller, to extend corporate limits of Windsor, in Bertie county.

Mr. Bridges, of Edgecombe, to prevent the mortgaging of household and kitchen furniture.

Mr. Glenn, of Rockingham, to empower the commissioners of said county to levy a special tax.

Mr. Beall, act to protect partridges and wild turkeys in Warren county.

Mr. Johnson, of Johnston, to amend section 1, chapter 85, laws of 1881.

Mr. Eaton, to pay Mrs. E. Jenkins for teaching a free public school in Granville county.

Mr. Williams, of Granville, to amend section 52, laws of 1881.

Mr. Speller, resolution in relation to county government.

UNFINISHED BUSINESS.

To make appropriations for the support of the various insane asylums in the State. [Gives \$50,000 for the asylum at Raleigh, \$40,000 for the one at Morganton, \$25,000 for the Goldsboro asylum; and appropriates \$35,000 each year for the next two years for the completion of the unfinished wings of the Morganton asylum.]

Mr. Glenn moved to amend section 1 of the bill by striking out \$58,000 and inserting \$50,000. In support of his amendment Mr. Glenn read the report of the Superintendent of the insane asylum at Raleigh, and pointed out certain items in this report

that he thought it would be wise and good economy to dispense with.

Mr. Robins, from all the information he could obtain, thought the appropriations were extravagant, but would vote for a reasonable amount.

Mr. Williamson said no one on this floor would do more for this unfortunate class of persons than himself, but there are some provisions in this bill that he considered extravagant, and he would therefore be constrained to vote no.

Messrs. Powers of Cumberland, Stanford, and Powers of Cleaveland, all advocated the bill, and assumed in substance the same position, it being asserted in the course of their argument that this is the lowest appropriation for any asylum in the United States.

The amendment failed to pass by a vote of 35 to 75.

The bill, as reported by the committee, passed its third reading.

The special order, for the support of the State Guard, was then taken up.

This caused a wide range of discussion. Conflicting amendments were offered and adopted, giving rise to considerable disorder and consuming a great deal of time. Upon motion the bill was tabled on its second reading.

The second special order was then called, being the bill to aid the North Carolina Tobacco Exposition—appropriates \$2,500.

Mr. Strudwick, of Durham, said: We have it told in ancient fable, that the waggoner, when he called upon Hercules to extricate him from the mire, was sternly bidden by the son of Alcmena to put his own shoulder to the wheel. This we have done; we have subscribed \$7,000, now we call upon you to aid us with \$2,500 more. Shall North Carolina, who, to this struggling industry should be a fostering mother, turn a more indifferent ear to her children's cry for help, than the godlike hero to the prayer of his pagan worshipper? Continuing he gave many items of interest in connection with the cultivation of tobacco in North Carolina. We make forty or fifty million pounds of tobacco in North Carolina superior to any grown in the world. Prof. Velcher, Agricultural Chemist of the Royal Society of England, gave it as his opinion that the tobacco grown in Granville county, N. C., was the finest that the world produced. Instances of good that had resulted from North Carolina's displays of tobacco at Atlanta and elsewhere, were mentioned with pride by the speaker. Injury had been done us by parties buying our tobacco and shipping it to the markets of the world marked Virginia tobacco. This bill would prevent any such occurrences in the future. North Carolina should exercise a fostering care of this her great interest. The appropriation would be a

wise one on the part of this Assembly. None could be for a more laudable enterprise. It was not asked for the benefit of any one town, but for the sole benefit of the farmers of North Carolina. It was time the State was aroused upon this great subject.

Mr. Williams, of Granville, took the floor in support of this bill, but had made only a few remarks when the hour of adjournment was announced.

NIGHT SESSION.

Substitute for bill for sale of State's interest in W. N. C. R. R. passed; ayes 93, nays 9. Messrs. Bryan, Covington, Cheek, Holton, Leary, Mitchell, Phillips, Waddell and Walker voting no.

Bill to extend aid to Durham Tobacco Exposition and bill to encourage agriculture were both tabled.

Bill amending law in regard to the Department of Agriculture, caused a long discussion, many amendments being offered, and was referred to the committee, to report Monday.

Bills to amend charter of Newbern; to prohibit Dutch nets in Carteret; to amend charter of Oxford and Henderson R. R., and act concerning the code, passed third reading.

SENATE.

FORTY-SIXTH DAY.

February 24.

The Senate was called to order at 10 o'clock.

Prayer by Rev. Dr. Marshall

Journal reading dispensed with.

PETITIONS.

Mr. Carter, citizens of Warren asking to appoint bonded weighers in tobacco warehouses.

Mr. Cahoon, citizens of Hyde against prohibition.

Mr. Womack citizens of Alamance for prohibition in 2 miles of Oakdale Academy.

Mr. Womack citizens of Chatham asking prohibition in three miles of New Elam church.

Mr. Strayhorn, citizens of Durham praying that bill to appoint tobacco weighers do not pass. [Mr. Strayhorn said that the NEWS AND OBSERVER had the county of Durham not excepted from this bill, when it was excepted by his amendment.] [The reporter so reported it at the time. The typographical error was noted the next day.]

BILLS.

Mr. Battle, bill to establish Roanoke township, Halifax county.

Mr. Dortch for the encouragement and support of the State Guard.

Mr. Watson, for the drainage of the lands of Middle Fork and Muddy creeks in Forsyth.

Mr. Clarke, to prevent the felling of timber in rivers, creeks and canals of Craven.

Mr. Ramsay, to prevent accidents on railroads.

Mr. Costner, to enforce the better drainage of certain lands in Lincoln county.

STATE BOARD OF HEALTH.

Mr. Battle's bill to promote the efficiency of the North Carolina Board of Health, came up as special order.

Mr. Linney said, as we were drawing near the end of the session, and time was worth more than gold, he moved to indefinitely postpone.

Mr. Battle said that circumstances over which he had no control, and the courtesy of the Senate in passing it over during his absence, had delayed the bill until this late hour. He spoke of the necessity for the bill, and the importance of passing it, saying that public health was public wealth, and to care for the health of the people, and study the influx and efflux of human life was a duty that devolved on us all. Mr. Battle read his remarks, and then, in support of them, told what other States had done; the appropriations made; and read from the Governor's message what he had said on the subject.

Mr. Dotson said he opposed the bill, because the farmers had to pay for every analysis made of the waters. It was right they should pay for analysing fertilizers, but not for water.

Mr. Womack opposed the bill, because of too much power given the county superintendent of health, confining the abating of a nuisance to a one-man power. In replying to the Senator from Iredell, he said he couldn't see for his life how the farmers paid the fertilizing tax; that this tax was paid by the manufacturers of the fertilizers. He saw no objection in that to this bill, but there were other objections to it, which he gave in brief.

Mr. Alexander said that this tax did not come out of the farmers, but out of the manufacturers or agents of the fertilizers; it could not be so construed as to come out of the farmers. He cited a few of his objections to this bill. For instance, that the county superintendent of health had caused much dissatisfaction in his county; so much that the county commissioners had petitioned to repeal it, and there was now a bill to that effect in the other House. He went through the bill and showed the amount of money that could be drawn under it—only if they would.

Mr. Ramsay said he exceedingly regretted that he could not speak as he desired in consequence of hoarseness. The bill was not perfect, but he would offer some amendments before taking his seat. It had been introduced at the instance of some of the most prominent physicians of the State, and was for the good of the people. He then

entered at length into the history, purposes and expenses of boards of health, and concluded by stating that the bill appropriated only a fraction more than South Carolina now appropriates; half of that by Tennessee; one-fifth of that by New York, and only a tenth of that by Massachusetts.

Mr. Battle accepted the amendments.

Mr. Scott, of Rockingham, said the trouble with departments was that whenever they got a chance they bit off more than they could chew. He would like to see a good board of health; thought the last Pharmaceutical bill a humbug. The present bill might apply to cities and towns in an epidemic, but as a general law it was not good. He called the previous question.

Mr. Dotson asked the yeas and noes on the passage of the bill on the second reading. Ordered. Yeas 7, nays 23. The bill failed to pass.

The Code passed second reading—yeas 26, noes 10.

On motion of Mr. Dortch it was made the special order for next Monday at 10:30.

The chair here stated he had received a telegram informing him of the illness of the Senator from New Hanover.

THE GOVERNOR'S MANSION.

Mr. Watson, bill supplemental to an act entitled "An act to provide for the erection of a residence for the Governor. It provides that the building shall not commence till the 1st of March, 1885.

Mr. Strayhorn asked that the bill be put at once on its readings.

Mr. Poole moved the bill be referred to the committee on public buildings and grounds.

Mr. Watson said that disposition would seal the fate of the bill now for special order this day on providing a building for the Supreme Court session, &c., he said many Senators who had voted for the bill to build a residence for the Governor wished to undo their work, and also that this bill was introduced at the request of Senators.

Mr. Strayhorn asked the yeas and nays on the motion to refer. Ordered. Yeas 9, nays 29. So the motion to refer did not prevail.

Bill as special order on the building for the Supreme Court Sessions came up, and

Mr. Dotson moved to postpone it for thirty minutes, that Mr. Watson's bill might be considered.

Mr. Poole opposed this, he said it was not fair, it was not in courtesy.

Mr. Linney replied that this Senate would decide whether it was fair or courteous.

Mr. Dotson's motion prevailed, so the special order was displaced by the bill supplemental to the bill ordering the building of a Governor's Mansion.

Mr. Watson spoke to the bill, saying the building of this mansion was most too

heavy work for this session; the effect of this bill is only to say that the Governor and his council shall not proceed with the building of this costly mansion until the 1st of March, 1885, and not even then, unless under another bill, passed by the Legislature. He said a State that was so poor that she could pay her Governor but three thousand dollars, wasn't able to put him in a sixty thousand dollar mansion.

Mr. Poole said it was a remarkable thing, that the Senator from Alexander was in favor of voting fifty-five thousand dollars from the State for building him a junebug railroad through his section but when it comes to erecting a building that will belong to the State and be a credit to her in the future, that then the Senator from Alexander was suddenly struck with a panic cry for retrenchment and reform.

Mr. Poole said he stood upon record as advocating the interest of the people of the entire State and not simply the interests of her junebug counties. Not a cent of tax would come from the people in building this mansion. Perfectly willing the Senator from Alexander was to take fifty-five thousand dollars to give to the building of a railroad, but unwilling to take ten thousand dollars and put to the purpose it was especially meant for. That was a system of economy, he confessed he could not understand. Mr. Poole said he did not come here so as to make a record to go to congress. The ghosts of these gentlemen's records were haunting them in this regard. For himself he was for the whole State, even its junebug sections, and if his people were displeased with his record they could retire him to the shades of private life. He was not to be influenced by letters from one or two at home; if his nerve and manhood told him he was right; let such letters come; they would not affect him. He spoke the full length of the extension of time.

Mr. Watson drew a simile from ancient mythology, of the God of the winds lashing his sides in fury, and old Neptune arising out of the waves, and calling the previous question—he now called the previous question.

Mr. Dortch raised the question of order, that this bill had passed and become a law, and that it could not be repealed at this session of the Legislature. He read from Parliamentary Law to sustain him, and denied out and out the power of this Legislature to repeal this law.

Mr. Womack thought the point well taken.

The previous question was reconsidered. Mr. Morehead amended so as to strike out all after the word "1885" in the first section.

Mr. Dortch said he was free to say that that disposed of his point.

Previous question called.

Mr. Poole asked the yeas and nays on the bill on second reading—yeas 30, nays 7. The bill passed second reading.

Mr. Linney said, in voting, that Mr. Poole must have felt himself strong, and had turned his fury on him, on the principle, he supposed, that Linville Waters gave of shooting bears: "If you shoot he won't hurt you, but he'll tear up the first stump he gets to." Mr. Watson had fired at his friend, the Senator from Martin, and he had turned on him as the weaker vessel. As to money for a railroad, he didn't ask a cent, only an exchange of securities.

Bill passed third reading.

SUPREME COURT ROOM AND LIBRARIES.

Bill for providing a room in the Agricultural Building for Supreme Court sessions; also a building for a library, came up as special order.

Mr. Poole amended, adding Clerk of the Supreme Court to the Governor and his Council. Accepted.

Mr. Morehead amended that the Attorney General purchase the balance of the lot on which the Agricultural Building is located, at a price not exceeding even thousand dollars, to be paid out of the funds of the Department of Agriculture.

Mr. Purnell thought they had back lots enough over there and hoped this amendment would not encumber the bill.

Mr. Dotson, an amendment provided that the property so purchased belong to the farmers of the State.

Mr. Boykin suggested to the Senator from Iredell the wording of his amendment differently; he didn't see how it could belong to the farmers unless they were a corporation; under the amendment the farmers would be the tenants-in-common, and any one could bring an action at any time against the others for partition.

Mr. Dotson withdrew his amendment to make the correction, and Mr. Morehead withdrew his.

Mr. Payne said that now was not the time to make the appropriation, he should move to table the whole matter. But withdrew it to hear the discussion.

Mr. Black argued that it was not the time to make appropriations in matters that now at least were not necessary.

Mr. Poole argued that the necessity for a Supreme Court room could not be doubted by any one. Very few lawyers in the medium cities of the country but could show a better law office than we could a court room. A man ran the risk of breaking his neck in climbing to get a book out of the library. Valuable records and papers lying in dust on the floor. And a system of economy too penurious to give relief. Future generations would rise up and denounce it.

Mr. Watson spoke of the importance of the Senate passing the bill, and he desired

it tangled with no amendments. He discussed the importance of the bill. He said this was a building not ornamental as was the Governor's mansion, but that necessity called for it to be built.

Mr. Toon said this did not seem a good day to make debts, and while we were called upon by the Senator from Forsyth not to build the Governor's mansion; we were too poor to do it; he now asked us to build and appropriate for the supreme court and State library; he could not see why this sudden change, one was as necessary as the other. If the State was too poor to build a Governor's mansion, she was certainly too poor to invest in public buildings.

Mr. Linney thought these records should be kept within these walls, if there was anything imperishable it was these granite walls. The eccentric Judge Mitchell once thought he had a buggy that was imperishable, but it broke down in two years. These granite walls were the safest depository for the records. The State to-day owes a large sum, seventy-five thousand dollars of its best bonds can be bought for fifty thousand dollars. It may be, two years hence we will be in better condition to erect these buildings. We need light and not heat in considering the necessity for this appropriation. Here's \$20,000 in cash, and in addition all the convict labor and material for building to be furnished outside. Here sits a Senator with his head full of brains, (pointing to Mr. Purnell) he has as much energy to be as fat as he is as any man I ever saw, and he glories in voting for this appropriation, and his party will arraign us for this appropriation, and I had rather have pestilence and famine than the supremacy of his party in charge of this country. He read an extract from a private letter from John Cooper, saying he feared the Legislature was going back on the party's record for retrenchment and reform and that it would be the means of losing them the State.

Mr. Womack asked what Mr. Linney thought would have been the effect of such an argument as his when this capitol was being built.

Mr. Linney said he had heard that the cost of this capitol was only six-hundred thousand dollars.

Mr. Watson again spoke in support of the bill. He said if he should start from his country down here with a drove of five horses and one of them was taken sick with the colic on the way, the Senator from Alexander would argue that he should let him die rather than buy a pint of whiskey to save him. He said it was an argument unworthy of the occasion, for the Senator to say that the Republican party would hold the Democrats responsible for this appropriation in the presence of the Republicans sitting on this floor.

Mr. Womack said to the million four hundred thousand people in this State, that this ten thousand dollars would be seventy-one hundredths of a cent to the head. Even should it be taxed, it was a postage stamp on every family. A tremendous sum! in the eyes of the Senator from Alexander.

Previous question called.

Mr. Dotsen asked the yeas and nays. Ordered—yeas 9, nays 25.

Mr. Mebane (the colored Senator from Bertie) said, in explaining his vote, that he should like to have voted for the appropriation, but he noticed rather a political turn taken on it, and if Democratic Senators were afraid to take the responsibility for doing what they thought was right, he was afraid, too, and should vote no.

Mr. Dortch, resolution confining debate to fifteen minutes.

Mr. Jones. "Except as to the discussion on the Western North Carolina Railroad." Adopted. The resolution had the yeas and nays and was adopted—yeas 19, nays 8.

Mr. Cabo, bill to incorporate Southern Bonanza Gold Mining Company. Also bill to repeal prohibition at Lake Forest, in Hyde county.

Adjourned.

HOUSE OF REPRESENTATIVES.

The House was called to order at 10 a. m., Speaker Rose in the chair.

Prayer by Rev. Dr. M. Marshall.

PETITIONS AND MEMORIALS.

Petition from Camden county in regard to public schools.

Resolution asking our members of Congress to use their influence to have a canal cut from Alligator river to Broad Creek.

BILLS.

Mr. Smith, to pay the expenses of the committee who visited the Eastern North Carolina Insane Asylum.

Mr. Powers, of Cumberland, to secure to justices of the peace their lawful fees in civil causes.

Mr. Gudger, to authorize the board of commissioners of Henderson and Buncombe counties to finish the Spartanburg and Asheville Railroad.

Mr. Johnson, of Craven, to prevent the felling of timber in Brill Creek.

Mr. Sutton, to exempt the sailors of Chowan, who pay tax to the United States Hospital, from poll taxes.

Mr. Barrett, of Pitt, to prohibit the sale of liquor in three miles of Rose Hill church.

Mr. Forbis, of Guilford, to carry into effect the provisions of section 7, article 9, in regard to unclaimed dividends and distributive shares.

Mr. Stanford, to establish a graded public school at Magnolia, in Duplin county.

Mr. Forbis, to incorporate the Greensboro water works.

Mr. Ray, to amend chapter 19, private laws of 1881.

Mr. Abbott, to amend section 77, chapter 270, laws of 1868-67.

Resolution amending the rules of the House, allowing two minutes in explanation of votes, was taken up and passed third reading.

Bill to authorize the commissioners of Swain county to pay certain school claims, passed its third reading.

Bill to change line between Alleghany and Wilkes counties, passed its third reading.

Bill for the relief of J. A. McArthur, late sheriff of Duplin county, passed its third reading.

Bill to amend the charter of the town of Edenton, passed over informally.

Bill in relation to oyster gardens and clam beds, passed its third reading.

Bill to establish a graded road in the counties of Wilkes and Ashe. [Dr. Wilcox, of Ashe, spoke in favor of the bill, asking for a number of convicts, and gave many reasons why the aid asked for should be granted to the people of that section of North Carolina.] Passed its third reading.

Bill authorizing the board of public building to appoint the keeper of the capital and the trustees of the library to appoint the State Librarian, passed its third reading.

Bill to amend chapter 139, laws of 1881, relating to stock law in Rowan county.

Bill to amend the charter of the town of Durham. Allows the issue of \$20,000 bonds for the purpose of paving the streets, question to be submitted to the qualified voters of said county; passed its second reading.

Senate resolution to adjourn "sine die" at 12 m. March 5th, gave rise to a good deal of discussion, but on motion of Mr. Bunn was amended by striking out 12 m. and inserting 2 p. m.

Bill to authorize the treasurer of Yancey county to pay certain school claims, Passed its third reading.

SPECIAL ORDERS.

To amend the charter of the city of Charlotte, Tuesday.

To create a railroad commission, Wednesday morning at 11 o'clock.

To allow additional court facilities to Eastern North Carolina, Monday.

Bill for the relief of the former creditors of the town of Fayetteville. Passed second reading.

Mr. Bailey, of Mecklenburg, stated that as he had not sufficiently been informed as to the provisions of the bill he would vote on this reading, no, but with the privilege to change his vote on the third reading.

To establish graded schools in Chowan county. Passed second reading.

To establish a graded school in the town

of Kinston, Lenoir county. Passed third reading.

To authorize the commissioners of Vance county to levy a special tax. Passed third reading.

To incorporate Mott's Grove Camp Ground. Passed third reading.

House then adjourned to Monday at 10 a. m.

SENATE.

FORTY-SEVENTH DAY.

Senate called to order at 10 o'clock.

PETITIONS.

Mr. Pemberton, from citizens of Stanley county, praying for prohibition at Randles church and Pee Dee Academy in Stanly county.

Mr. Neill, from certain citizens of Yancey county.

BILLS.

Mr. Ebbs, to establish a new township in Madison county.

Mr. Neill, to prohibit liquor in three miles of Crab Tree Church and Martin's Chapel in Yancey county.

Mr. Watson, to authorize and empower the sheriff of Forsythe county to collect certain arrears of taxes.

Mr. Hampton, to established graded roads in Yadkin and Forsythe counties.

Mr. Pemberton, bill to prohibit sale of liquor in two miles of Randles church and Pee Dee Academy in Stanly county.

CALENDAR.

Bill to authorize E. R. Stamps, president of the board of directors of the penitentiary, to make title to certain real estate, came up — unfinished business of Saturday, and passed its third reading.

Bill to authorize the county of Pender to issue bonds.

Mr. Scott, of New Hanover, opposed the bill, and mentioned several gentlemen in the county who had written him against it, (and quoted an extract from a letter from Bruce Williams, attorney) all Democrats except two, against the passage of the bill.

Mr. Alexander explained for the committee that Pender county had been a county eight years; she had no court house or jail; the prisoners were kept in New Hanover; they had the sheriff of the county before them, and several prominent gentlemen of the county after they understood the bill, were in favor of it. Either Pender county would have to be abolished or else a court house built.

Mr. Boykin said he was prepared to compare letters, both in quantity and quality, with the Senator from New Hanover; a large number of the citizens, both Republicans and Democrats, were in favor of the bill, and a great many of those opposed to it were opposed because they did not understand it; when it was once understood

by the people in Pender they would see the necessity for it.

Bill passed third reading—yeas 28, nays 6.

TOBACCO WEIGHERS.

Mr. Cozart introduced a substitute for his bill for the appointment of weighers in tobacco warehouses. The substitute leaves the appointment of the weighers to the warehousemen, on the petition of fifty farmers; fixes a uniform price for weighing and only allows three per cent. on the gross sales and ten cents a hundred for weighing.

Mr. Scott, of Rockingham, said he did not understand how it was that this substitute could now come applying to the whole State when it was the expressed sense of the Senate that it should only apply to the counties of Granville, Vance and Warren. His people did not want this bill, it would drive tobacco to Danville that now went to our warehouses. He offered an amendment that the bill should only apply to the counties of Granville, Vance and Warren.

Mr. Cozart accepted this amendment as entirely satisfactory.

Mr. Watson said he had petitions from prominent tobaccoists in Granville and Warren who did not want this bill, and his own impression was it was an improper interference with the business that would result in driving tobacco from the warehouses.

Mr. Jones read certain sale charges sent with petitions from the farmers in Granville, Vance and Warren, and said that certainly those statements of sales demanded relief for the people in those counties—they were evidently imposed on according to those statements.

Mr. Berry called the previous question, and the bill passed its third reading.

Bill to levy a special tax for the county of Cabarrus passed third reading, yeas 36, nays 0.

Bill to establish graded schools in Lenoir township, in Caldwell county, passed third reading, yeas 36, nays 0.

Bill to incorporate the town of Third Creek, in Rowan county, passed third reading, yeas 39, nays 0.

Bill to amend the charter of the town of Salisbury so as to issue bonds to provide for its outstanding indebtedness passed third reading, yeas 37, nays 0.

Mr. Scott, of Rockingham, bill to prohibit insurance companies authorized to do business in this State from discriminating in their charges against North Carolina policy holders.

Bill to amend the charter of the town of Stonewall, in Pamlico county, passed second reading, yeas 35, nays 0.

Bill to secure the better drainage of the lowlands of Killdee Swamp, in Sampson county, passed third reading.

Bill to amend the election laws of the city of Wilmington, by requiring a voter to give

the number of the lot, the number of the block, and the number of the ward and the subdivision. (Mr. Boykin's bill.)

Mr. Scott, of New Hanover, opposed the bill. He trusted the Senate would not pass any such.

Mr. Boykin spoke to the bill. He said it only provided for a free and fair count, and he read from a letter from Mr. Thomas E. Bond, of Wilmington, and B. J. Boney, that out of 138 votes challenged in the fourth ward, that 125 of them were the names of dead men or repeaters. The object of this bill was only to provide for the free and fair election, which certainly the Senator from New Hanover desired.

Mr. Scott, of New Hanover, again spoke against the bill. He said it would disfranchise about fifteen hundred voters.

Mr. Strayhorn opposed the bill; all these restrictions thrown around the right to vote were manifestly wrong; the right to vote should be as free as the air, and not one voter in a hundred could give the number of his lot.

Mr. Mebane amended requiring the city to paint the number of the lots; he would vote for it with such amendment.

The previous question was called, and the amendment lost.

Mr. Loftin asked for the yeas and nays on the bill. Ordered. Yeas 29, nays 14. So the bill passed its second reading.

Mr. Scott, of New Hanover, objected to a third reading. So it required a two-thirds vote to suspend the rules.

Mr. Boykin moved its third reading.

There was a two-thirds vote, so the bill was placed on its third reading and passed.

Bill to incorporate the North Carolina Savings Bank passed its third reading.

Mr. King, of Pitt, bill to amend the charter of the town of Greenville.

Bill to require the commissioners of McDowell county to compromise, commute and settle the county debt. Passed second reading—ayes 36; nays none.

Bill to authorize the commissioners of Madison county to levy a special tax. Passed second reading—ayes 38; nays none.

Resolution to furnish Superior Court judges and solicitors copies of the acts of the General Assembly of this session. Passed third reading.

Resolution in favor of L. Howard, of Macon county, for pay as commissioner (\$50) in settling the boundary line between this State and Georgia. Passed third reading.

Bill relating to toll gates in certain counties; provides that the citizens in Clay and Macon counties shall mutually pass free of toll. Passed third reading.

Bill to incorporate the Biddle Institute. Mr. Alexander explained the bill. Passed third reading.

Bill to ascertain the outstanding indebted-

edness of Franklin county, and provide for payment of the same—committee amendment adopted—and bill passed its second reading, ayes 37, nays 0.

Bill to create a stock law in Pamlico county. [Mr. Caho's bill.]

Mr. Loftin asked for the ayes and nays on the passage of the bill. Ordered. Ayes 27; nays 13, so the bill passed its second reading.

Mr. Whitford amended by adding the counties of Jones and Craven.

Mr. Clarke amended that amendment, by striking out Craven.

Mr. Clarke's amendment prevailed. So only Jones county was added. And the bill passed its third reading.

Bill to change the name of Blue Ridge township in Macon, to that of High Lands, passed its third reading.

A conference committee of three on the part of the Senate, was asked by the House to confer about the great seal and the State records. Concurred in.

Bill to amend the laws relating to the stock law in Rowan county passed third reading.

Bill to empower the county commissioners of Cherokee to re-establish the office of county treasurer passed third reading.

Bill to incorporate the trustees of the Hayesville High School, in Clay county, passed third reading.

Bill concerning a devise to the Oxford Orphan Asylum passed third reading.

Bill in relation to gas and water supply for Asheville passed third reading.

Bill to amend the law in regard to sheriffs' fees (requires the money on all executions paid to the sheriff himself) passed third reading.

Bill to establish Roanoke township, in Halifax county.

Mr. Alexander hoped the bill would pass, and not be delayed, as delay would kill it. Another township was badly needed in that county, some people had to ride nine miles to vote.

Mr. Battle spoke against delay. The white people and every landholder in that section wanted it. He hoped it would pass at once.

Mr. Clarke insisted that it was a matter of courtesy due the Senator from Halifax, who was absent, to delay this bill till Wednesday at least.

Mr. Battle insisted that the object of postponement was to kill the bill.

Mr. Caho called the previous question. Passed second reading.

Mr. Clarke got the ayes and noes on the third reading. Ayes 27, nays 9.

Bill to prevent the felling of timber in the French Broad river and its tributaries, in Transylvania county, passed third reading.

Bill to establish the dividing line between

the counties of Clay and Cherokee, passed third reading.

Bill to authorize the county commissioners of Lenoir to levy a special tax, passed second reading—ayes 33, nays 0.

Bill to incorporate Mount Vernon church, in Mitchell county, passed third reading.

Bill to incorporate the Big American Reduction Company. Substitute recommended by the committee adopted, and the bill passed its third reading.

Bill to prohibit liquor in two miles of Moore Union church, in Moore county. Passed its third reading.

Resolution receiving Wesley Jamison, of Yancey county, into the Deaf, Dumb and Blind Asylum. Committee substitute adopted, and the resolution passed its third reading.

Bill authorizing the commissioners of Craven to issue bonds to build bridges across Neuse and Trent rivers.

Mr. Hill moved to table the bill.

Mr. Whitford supported the motion to table. He said Craven county had taxes enough.

The bill was tabled by a rising vote. Yeas 18, nays 15. The bill was reported favorably, and Mr. Clarke said the bill was sent to him by the Democratic board of county commissioners.

Bill to prevent felling timber in Pigeon river, in Haywood county. Passed its third reading.

Resolution in favor of Alfred Williams, \$33.05, for stationery to the Senate. Passed its third reading.

Mr. Pinnix (by consent), a bill to drain the lowlands of Spurgin's creek, in Forsyth and Davidson counties.

Bill to incorporate the Platonic Literary Society of Rutherford College. Passed third reading.

Bill to incorporate Bell's Ferry in Pitt county. Passed third reading.

Bill to incorporate Glen Alpine in Burke county. Passed third reading.

Bill to amend the charter of the town of Shoe Heel. Committee amendment adopted and the bill passed second reading.

Bill to prohibit fast driving over certain bridges in the county of Green—Mr. Loftin's bill—passed third reading.

Bill to authorize commissioners in Greene to pay Susan Lane fifty dollars for school services rendered. Mr. Loftin sent forward a letter from certain school committeemen saying there was a balance due Susan Lane of fifty dollars. Passed third reading.

Bill to incorporate the town of Staunton in Beaufort county. Passed third reading.

Bill to incorporate the town of Sharpsburg, in Nash and Edgecombe counties. Passed third reading.

Bill to authorize the board of commissioners in Wake to levy a special tax. Mr. Purnell stated he was opposed to all special

taxes, that he introduced the bill at the request of the commissioners. It passed second reading, yeas 39, nays 0. Mr. Purnell said he voted "yea." Mr. Boykin suggested to him, to be consistent, to change his vote on the other tax levies. Mr. Purnell then changed his vote to "nay." Several Senators then arose, saying "Mr. President, I change my vote to nay," when Mr. Purnell said he would take it back, and let his vote remain yea.

Bill to make valid certain land grants in Pamlico and Hyde, passed third reading.

Mr. Evans asked consent, and introduced a bill to extend aid to the North Carolina Tobacco Exposition.

Bill to incorporate the Lightwood Creek Canal Company, in Hyde county.

Bill to authorize the county commissioners of Tyrrell to sell certain property, passed third reading.

Bill to prohibit the use of Dutch and pond nets in the waters of Carteret, passed its third reading.

Bill to divide North Carolina into nine congressional districts.

Mr. Strayhorn asked that the bill be printed. He said that it's being here right at the end of the session, was the fault of the committee if it was anybody's fault, and he hoped it would be printed.

Mr. Caho said the gentleman was just as well informed now as he would be after the bill was printed. He called the previous question. Ordered. The bill was read.

Mr. Watson said he expected to vote for this bill on its final reading. The Senator from Orange had asked to have the bill printed and made the special order for next Wednesday. Being on the majority side he was in favor of having it printed, and made the special order for 11 o'clock next Wednesday, so that the minority side could have an opportunity of seeing the bill, and knowing what it was. He moved that three hundred copies be printed.

Mr. Dortch also was in favor of giving the minority side the opportunity to read the bill. The motion prevailed.

At 1:30 the Code came up as special order on third reading.

Mr. Clarke moved that it be read.

Mr. Pinnix moved to dispense with the reading.

On that motion Mr. Clarke asked the yeas and nays. Ordered.

Right here the Chair said: "The Code will be read."

The Reading Clerk opened the immense volume and began to read.

Mr. Caho moved that the doors be closed and no member be allowed to leave until it was read.

Mr. Watson said if the opposite side insisted he was for a perpetual session, with only intermissions for the members to take refreshments, even if it took to the last day

of the week to get through with the book.

The Clerk went on with the reading of the immense volume of twelve hundred pages.

The chair soon stopped the reading and said: "Whenever it is the pleasure of the Senators to come to order and listen to the reading, the chair will direct the clerk to proceed." (There was a pause of some minutes till the Senators were seated and the buzz subsided), and the chair then said: "The clerk will proceed." The reading went on.

Mr. Loftin said he thought the clerk was skipping. He was for having it read right if found to be read. He said he was opposed to obstructing legislation in this way. He had abiding confidence in the commissioners who had revised the Code to accept it without going through it again. He said Mr. Clarke and himself, too, had been treated badly. It was harrowing to have been treated as he had been on this floor. He had been told he was not the peer of Democratic Senators, and the previous question had taken his own county legislation out of his mouth and passed it over his head, but he insisted on Mr. Clarke's not placing the Republican party on record as obstructing legislation. He hoped the Senator from Craven would rise and give his reason for insisting on the reading.

Mr. Clarke said he disliked to differ with his friend, but the minority had rights on this floor, and he called again for the reading of the bill.

Mr. Watson said if the Senator from Craven, knowing that now we were on the eve of adjournment, would take on his shoulders the responsibility of defeating this bill let him do it, but he thought by to-morrow morning (it was now the usual time of adjournment) but he hoped by to-morrow morning, after we had staid here all day and night, as he was ready to do, after the Senator from Craven had slept in his seat all night, that by to-morrow he would think differently of his stubbornness, as stubbornness it was. That it was the duty of the Senate, and a duty he intended to carry out, to stay here till the dog days, if necessary, in order to pass this bill.

At 2:35 the reading was ended, and the chair—(Mr. Forehead in the chair) said: "Shall the bill pass its third reading, Senators? those of you in favor of the bill on its third reading will answer yea, those opposed, no." The roll was called.

Mr. Strayhorn and Mr. Mebane explained that they would like to vote for the bill, but as it contained county government they couldn't do so. The vote stood: yeas 33, nays 10, so the bill passed third reading.

Mr. Pemberton, bill to provide for the support of the Deaf, Dumb and Blind Institution.

Mr. Dortch, bill to appropriate \$50 per

annum for the use of penitentiary Sunday school.

Adjourned.

HOUSE OF REPRESENTATIVES.

House met, with Speaker Rose in the Chair.

PETITIONS AND MEMORIALS.

Mr. Riggs, petition from Dare county, against the repeal of the prohibitory laws; of Wake county, requesting prohibition of sale of liquor near New Hope church.

Mr. Baum, from citizens of Hyde county, asking prohibition within one mile of Juniper Bay school; from citizens of Pender county, praying an amendment to the constitution, allowing school tax paid by the whites to go to the education of the white children and that paid by the colored people to go to the education of the colored children; from citizens of Leaksville township, Rockingham county, for appointment of certain justices of the peace; from citizens of Mitchell county, against changing their county line.

Mr. Bailey, of Mecklenburg, petition of C. J. Cowles and others, touching the State debt.

Mr. Philips, from citizens of Stokes county, asking that Dan river be opened to the passage of fish.

Mr. Bailey, of Mecklenburg, from Mayor and Aldermen of Charlotte, in opposition to the graded school.

In regard to soldiers maimed in the late war.

RESOLUTIONS.

Mr. Stanford, in regard to night sessions.

Mr. Bailey, of Mecklenburg, requesting the Judges of the Supreme Court to give their opinion in regard to section 28, article 21 of the constitution.

Mr. Love, to pay actual expenses of the committee on the Western Insane Asylum.

Mr. Sherrill, concerning evening sessions.

BILLS.

Mr. Thompson, in relation to fishing in the waters of White Oak and New river, and the sound between them.

Mr. Overman, to create a new township in Rowan county by the name of Steele township.

Mr. Strudwick, in relation to justices', dockets in Orange and Durham counties.

Mr. Reade, amending prohibitory laws in Person county, confining them to one mile from locality named.

Mr. McCloud, to incorporate the Asheville tobacco warehouse company.

Mr. King, for the improvement of the streets and sewers of Greensboro, North Carolina.

Mr. Bower, to authorize the commissioners of the town of Lenoir to lay off additional streets.

Mr. Harris, of Davidson, for a better sys-

tem of keeping in repair public roads by taxation.

The bill provides that the board of justices of the peace of the county, at any regular meeting, or at any meeting called by the board of commissioners of the county, may by a majority vote, (a quorum composed of a majority of the justices in the county being present.) adopt an alternative method of constructing and keeping in repair the public roads by taxation upon all property in the county made the subject of ad valorem taxation, the rate not to exceed ten cents on the \$100 valuation, and that all able-bodied male persons between the age of eighteen and forty-five years shall be liable annually to perform four days labor on the public road, provided, that any such persons may be discharged from such labor, upon payment to the overseer of the sum of two dollars and fifty cents per annum in lieu thereof; and upon such payment he shall be exempt from road labor in the county for one year; also such persons shall be exempt from any poll tax for public road purposes. The bill further provides for a supervisor of roads for each road district. Each township in the county shall constitute a road district. The duty of a supervisor is to lay out and divide all the public roads in his district into sections; to specify the nature and extent of the work; to let out each section to the lowest bidder. It also provides for working persons confined in the county jail or other places, and all persons sentenced to the State's prison for a term less than one year.

Mr. Peebles, to amend section 130, chapter 31, of the Revised Code, and also to facilitate the settlement of the estates of deceased persons.

Mr. Stanford, to authorize the Governor of the State to issue a proclamation of outlawry.

Mr. Overman, by request, to amend chapters 65, sections 17 and 18, of Battle's Revision, as amended in 1879, relating to the better protection of stock raising.

Mr. Harris, of Wake, to lower the grade of certain offences.

To amend section 4, chapter 37, Battle's Revision.

Mr. McCloud, to protect the new double track iron bridge across the French Broad at Asheville.

Mr. Baker, of Northampton, to allow all boats to carry freight to and from Gaston depot in the county of Halifax.

Mr. Worthington, to amend chapter 180, laws of 1879.

Mr. Bailey, of Mecklenburg, for the relief of the Berryman Manufacturing Company.

Mr. Gudger, to prohibit the sale of liquor within certain localities in Buncombe county.

Mr. Abbott, to incorporate the State penitentiary.

Mr. McCloud, to establish a turnpike road between Asheville and Swananoa river in Buncombe county.

Mr. Bunn, to provide a room in the Agricultural building for the sessions of the Supreme Court, and a building for the miscellaneous and Supreme Court libraries.

Mr. Worthington, to amend charter of the town of Williamston, Martin county.

CONTESTED ELECTION CASE.

The majority report on the contested election case from Northampton county was taken up and read. After giving detailed evidence, the report concludes with this resolution: Resolved. That G. H. Parker was elected and entitled to occupy the seat in this House, as a representative of Northampton county, now held by R. B. Peebles, and that the said Peebles was not elected to the same.

Mr. Simmons, asked leave to introduce the minority report to-morrow; desired further time to get at the full facts.

Mr. Bailey, of Mecklenburg, objected. He thought it high time this matter was disposed of.

After another discussion, the House granted Mr. Simmons' request, and the minority report will come up to-morrow morning.

Mr. Bailey moved to make it the special order for to-morrow.

Mr. Bunn opposed the motion. There should be no special order until the minority report was in. The House must hear both reports before it could act intelligently.

Mr. Stanford's resolution providing that the night sessions be devoted to private bills was taken up and passed.

CRIMINAL DISTRICTS.

Substitute for the original bill to create two criminal districts in the eastern portion of North Carolina was taken up.

Mr. Simmons explained the provisions of the bill.

After about a dozen or so amendments the bill was, on motion of Mr. Thompson, of Onslow, laid on the table.

CALENDAR.

Act to incorporate the town of Franklin, in the county of Macon. Passed its third reading.

Act to amend chapter 175, laws of 1876-77, to extend the corporate limits of the town of Lincolnton. Passed its third reading.

Act to amend the charter of the town of Durham. Passed its third reading.

Act to establish normal schools in Monroe. This bill gives the Board of Education discretion to do so or not. Failed to pass its second reading.

Act to incorporate the town of Asheboro, in the county of Randolph. Passed its third reading.

To amend chapter 242, laws of 1876-77. Passed its third reading.

To incorporate the Black Mountain Railroad Company.

Act for the benefit of farmers in Grass Creek township, Cumberland county, passed third reading.

To amend chapter 126, laws of 1881. The amendment is, "That whenever a majority of the voters of any township shall petition the board of commissioners thereof, the said board shall declare said chapter 126 in full force and effect in the township making the petition." [Fence law, Wake Co.]

Mr. Temple spoke against the bill, stating three fourths of the voters of Wake county were opposed to the bill, and that no one could be elected from Wake who would advocate such a bill; the majority of the voters could not, in his opinion, be ascertained by petition, and that the petitioners before the Legislature two years ago proved that fact. Out of 9,000 votes in Wake county, no man could obtain 2,000 of said votes if he advocated such a bill; it would be unfair, unjust and an outrage to thrust such a law upon his people against their will.

Mr. Harris, of Wake, urged the adoption of this bill. This Assembly has already passed absolutely a no-fence law in some ten or twelve counties in this State without any regard to the wishes of the voters. If past legislation be taken as a guide, unless this bill is passed we may force upon the entire people of the county an absolute no-fence law. This bill provides that a majority of the qualified voters of any township may petition the board of county commissioners to establish a no-fence law—not until this is done does the law have any effect. It is to avoid a no-fence law over the entire county that I accept this act as a compromise.

The bill passed third reading.

On motion of Mr. Bunn the bill redeeming certain lands purchased by the State was taken from the table and placed upon the calendar.

Substitute for the original bill to incorporate the Southern Mining, Smelting and Manufacturing Company, passed third reading.

To incorporate the town of Conover, in Catawba county, passed second reading.

Act supplemental to and amendatory of an act to amend chapter 83, Battle's Revision, February 13, 1883, passed second reading.

To amend chapter 58, private laws of 1870-71.

To amend section 4, chapter 15, laws of 1811, passed third reading.

To prohibit the sale of liquor in certain localities in Randolph county. Passed its third reading with amendment by Mr. Robins, of Randolph.

To allow commissioners of Lenoir county to levy a special tax to build a bridge over Neuse river. Passed second reading.

To amend and consolidate the acts consolidating the town of Lumberton in Robeson county.

To amend the charter of the city of Newbern.

The resolution asking the opinion of the judges of the Supreme Court in regard to the sixty days session (introduced by Mr. Bailey) was taken up and sent to the Senate.

To amend the charter of the town of Edenton; pending which the House adjourned to 7:30 this evening.

NIGHT SESSION.

The following bills passed third reading: for relief of former creditors of Fayetteville; to amend charter of Asheville; to amend law in regard to market house, &c., at Wilmington; to incorporate Mt. St. Joseph Academy, Catawba county.

Bill for relief of farmers of Rockingham, tabled.

Bill providing for alternate working of roads was discussed at great length.

HOUSE OF REPRESENTATIVES.

EVENING SESSION.

February 26, 1883.

Unfinished business of the morning resumed.

Bill to change the charter of the town of Edenton. Laid over for the present.

No quorum present, on motion of Mr. Bryan, of Wilkes, the roll of the House was called, when a sufficient number answering, the business of the House was resumed.

CALENDAR.

To incorporate the town of Enochville, Rowan county.

Resolution in favor of A. Williams & Co. Passed third reading.

To amend the charter of the town of Asheville, N. C. Passed second reading.

For the relief of the former creditors of the town of Fayetteville, N. C. Third reading.

Mr. Bailey, of Mecklenburg, explained his vote. Thought it an act of repudiation and unconstitutional—would vote no.

To amend chapter 191, laws 1881, also chapter 216, laws of 1881.

M. R. Greene, of New Hanover, to amend as follows: "Provided that the country wagons and carts shall not be required at the city of Wilmington later than 11 o'clock, a. m., after which time the said wagons and carts may be driven through the streets of Wilmington for the purpose of selling the remaining marketable products.

Mr. Green said that the carts and wagons had heretofore been permitted to take the perishable articles through the city to sell to families and he hoped this old privilege would not now be taken away

Mr. Stanford opposed the amendment. He had seen numbers of carts and wagons on the streets of Wilmington at all hours with perishable produce in them. Every one knew this would tend to breed disease. After an amendment to insert 10 o'clock in lieu of 11 the bill passed its third reading.

To incorporate Statesville and Catawba Toll Bridge Company. Referred.

To incorporate Mt. St. Joseph Academy at Hickory, Catawba county. Third Reading.

For the relief of the farmers of Rockingham county.

Mr. Glenn—This bill was for the benefit of the farmers solely, and not for the lawyers. The courts are now held in May at the very time when the farmers are engaged in planting their tobacco, and to call them off to attend court would work ruin to them. The change asked for would be of incalculable benefit to his people, and would interfere with none of the people composing the district, except Franklin county, and that to no serious extent.

Mr. Green, of Franklin, hoped the bill would not pass. His was a cotton-growing country. Mr. G. then gave a detailed account of how this crop was raised the particular time necessary to watch it, and stated that if this change was rendered it would work destruction to his people.

The bill failed to pass after considerable discussion.

To establish a ferry across Toe river.

To incorporate the Loftin Silver and Lead Mining Company.

To amend chapter 102, laws of 1881.

To incorporate the town of Arden, in Buncombe county. Passed its second reading.

Relative to a financial committee for the county of Cleveland.

To prevent the obstruction of fish in Neuse river.

To incorporate the Salisbury Water Works Company.

Relative to the appointment of cotton weighers of Goldsboro.

To prohibit the sale of liquors within three miles of Burnsville, Yancey county.

To provide for the alternate keeping in repair of county roads.

The remainder of the evening session was spent in offering amendments to this bill, pending which the House adjourned to 10 o'clock to-morrow morning.

SENATE.

FORTY-EIGHTH DAY.

The Senate was called to order at 10 o'clock.

Prayer by Rev. Dr. Yates.

PETITIONS.

Mr. Black, from citizens of Moore, asking that liquor be prohibited in three miles of Lethesda Presbyterian church.

Mr. Graham, from citizens of Stanly and Montgomery counties, asking a public ferry across Pee Dee river.

Mr. Alexander, from citizens of New Hanover, in regard to the no fence law.

BILLS.

Mr. Woodhouse, to amend law relative to the compensation of servants of the various State departments.

Mr. Speight, to amend chapter 225, laws of 1881, concerning extending the time of the sheriff of Perquimans county to settle taxes.

Mr. Lovill, to establish a new township in the county of Ashe.

Mr. Alexander, to prevent live stock from running at large in the county of New Hanover.

Mr. Evans, to fix the price of public printing.

Mr. Graham, to authorize the commissioners of Richmond county to pay certain school claims.

Mr. Ebbs, to disallow officers of Madison county to receive extra fees.

Mr. Payne, to amend laws of 1846-'47, relative to Richmond Academy, at Rockingham, N. C.

Mr. Cozart, to repeal chapter 113 of laws of 1881.

Mr. Womack, to amend private laws of 1880, chapter 34, changing fish commission to the commission of agriculture.

Mr. Webb, relative to the stock law in certain sections of Rutherford county.

Mr. Watson, to drain the low-lands of Abbott's creek, in Forsyth county.

Mr. Richardson, to amend chapter 206, laws 1881, concerning Eastern Insane Asylum.

CALENDAR.

Bill to amend the law concerning the charter of the town of Stonewall passed third reading—yeas 29, nays 0.

Bill to incorporate the town of Staunton, in Beaufort county, passed third reading—yeas 33, nays 0.

Bill to empower the board of commissioners of McDowell county to compromise, commute and settle the county debt passed third reading—yeas 38, nays 0.

Bill authorizing the commissioners of Madison county to levy a special tax passed third reading—yeas 38, nays 0.

Bill to provide for ascertaining the outstanding indebtedness of the county of Franklin, and provide for the payment of the same, passed third reading—yeas 36, nays 0.

Bill to authorize the commissioners of Lenoir county to levy a special tax passed third reading—yeas 35, nays 0.

Bill to amend the charter of the town of Shoe Heel came up on its third reading.

Mr. McLean offered an amendment requiring sixty days' residence continuously in the town before a man could vote, and

sent forward two memorials against the bill, which were read.

The amendment was adopted and the bill passed third reading.

Bill to authorize the commissioners of Wake county to levy a special tax, passed third reading—yeas 34, nays 1.

House resolution asking the Chief Justice and the Associate Justices of the Supreme Court to give the General Assembly their opinion as to the day in March, 1883, on which the sixty days' session, specified in section 28, article 2, of the constitution, will expire, came up for concurrence.

Mr. Dortch said that this resolution amounted to asking the Supreme Court to say that we were entitled to pay for Sunday. It was not a matter of public interest. We were entitled to pay for sixty days, and if we did not get through it was the duty of every Senator here to remain longer, as was done two and four years ago. Any member unwilling to do this was unworthy of his seat. He moved to table the resolution. It was tabled.

Bill to establish a new township in the county of Ashe, passed third reading.

Bill to establish a new township in Madison county, passed third reading.

Bill to provide for the levying and collection of taxes—the machinery act. Mr. Alexander said the most material changes were that it made three assessors instead of one, and prevented the uses of public money for private purposes.

The finance committee offered amendments preventing the sheriffs and county treasurers from using the public money for private purposes.

Mr. Pinnix suggested to consider the amendments "seriatim." This was done, the Senate amendments being considered first. These amendments, more or less, all applied to the sheriffs and the county treasurers. Another amendment provides to indict that class of able bodied persons able to work but won't, and who won't pay their taxes, making it a misdemeanor to be fined double their tax and allowing them to work it out on the roads if they fail for six months after they are returned on the insolvent lists, and an amendment from Mr. Womack to this, making the chairman of the board of the county commissioners a prosecutor before the justice of the peace. These amendments excited much discussion, Messrs. Linney and Watson advocating them, and Messrs. McLean, Pinnix, Black and Richardson opposing them.

Mr. McLean asked the yeas and nays on them. Ordered—yeas 29; nays 17, so the amendments were adopted. The bill then passed its third reading.

Bill to repeal the local prohibition law in certain localities and to prohibit the sale of intoxicating liquors in certain other localities (the omnibus bill) passed third reading.

Bill to amend section 1, chapter 232, laws 1879, passed third reading.

Bill in regard to the public schools in Raleigh township. Passed second reading—ayes 37; nays none.

Bill to authorize the establishment of graded schools in the State. Passed second reading—ayes 31; nays 1.

Bill to authorize the chairman of the Finance committee to administer oaths. Passed third reading.

Resolution from Mr. Dortch beginning night sessions of the Senate was adopted.

Bill concerning the inspection of timber in Wilmington. Passed its second reading.

Bill to prevent the running at large of live stock in the county of New Hanover. Passed its second reading.

Mr. Scott, of New Hanover, moved to recommit.

Mr. Payne said that the motion of the Senator from New Hanover to refer the bill to the committee on propositions and grievances evidently showed a purpose to antagonize this bill. Such a course would work delay, and end in its defeat. He was assured by large petitions received from landmen of New Hanover, that the passage of such a law was a necessity, and was demanded by the people of that county. He hoped the bill would pass [its second reading].

Mr. Scott, of New Hanover, asked the yeas and nays. Ordered.

Bill to incorporate the town of Wilson's Factory, in Gaston county. Passed its third reading.

Bill to make appropriations for the Insane Asylums.

Mr. Pemberton offered an amendment to strike out section 5, being the appropriation to the Western Asylum at Morganton. Also an amendment to strike out \$58,000 and insert \$50,000.

Mr. Lovill thought the first amendment ought not to prevail, but that the second should.

On motion of Mr. Hill, the bill was made special order for 8 o'clock to-night.

Bill to appropriate fifty dollars a year for the penitentiary Sunday School passed third reading.

Bill to emppower the sheriff of Forsyth to collect arrears of taxes passed third reading.

Bill to relieve the sureties of John McArthur, late treasurer of Duplin county passed third reading.

Bill to prohibit sale of liquor in five miles of Peterson's church, in Yancy county.

Bill directing county treasurer of Yancy county to pay certain teachers.

Bill to amend concerning Mt. Vernon academy, passed its third reading.

Bill concerning the better drainage of low lands of Reedy Fork and Horse Pen creeks in Guilford.

Mr. Scott, of Rockingham amended, to include Haw river, in Rockingham—accepted, and the bill passed its third reading.

Bill to authorize the commissioners of Tyrrell to levy a special tax, passed its third reading, ayes 38, nays 3.

Bill to incorporate the Bank of Salisbury, passed third reading.

Bill to amend the Henderson and Oxford railroad, passed second reading ayes, 38, nays 0.

Bill relative to the treasurer of the county of Cleveland, passed its third reading.

Bill to change the county line between Granville and Warren counties, the effect of the bill is to put Vance back into Warren; the hour of recess until 7 o'clock to-night having arrived, the Senate adjourned.

NIGHT SESSION.

The bill in regard to the boundary line between Warren and Vance failed to pass—yeas 13, nays 33.

Mr. Goodwyn introduced a bill for the establishment of a graded school in Halifax township, Halifax county.

Bill making appropriation to the insane asylums came up, and was discussed at length. An amendment to reduce the amount for the completion of the asylum at Morganton from \$35,000 per year to \$25,000, was discussed by Messrs. Pemberton, Boykin, Battle, Linney, Watson, Payne, Clarke, Webb, Womack, Pinnix. It was lost. The bill then passed—yeas 33, nays 8.

Mr. Hill offered an amendment reducing the appropriation for the asylum at Raleigh from \$58,000 to \$50,000. Pending argument, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

House called to order, Speaker Rose in the chair.

Prayer by Rev. Mr. Oberly.

The reading of yesterday's journal was dispensed with.

PETITIONS AND MEMORIALS.

From citizens of the State, asking a reduction of the Hotel tax; from citizens of Columbus, asking the appointment of a justice of the peace; from citizens of Vance county, asking the appointment of bonded weighers in the tobacco warehouses of said county; from citizens of Robeson, asking the appointment of a justice of the peace; from citizens of Peter's Creek township, Stokes county, for the appointment of a justice of the peace; from citizens of Granville county, asking that tobacco weighers be appointed in the tobacco warehouses; from land-owners of the 8th and 9th townships of Craven county, protesting against the passage of a no-fence law.

Resolutions concerning the charitable institutions of the State.

The gentlemen from Alamance and Pen-

der were granted leave of absence on account of sickness.

BILLS.

To protect fish in Lane's Creek in Anson and Union counties.

To amend chapter 11, laws of 1871-72.

To amend chapter 86, laws of 1870-71.

For the completion and finishing of the Eastern North Carolina Insane Asylum at Goldsboro.

To authorize certain school orders in Northampton county to be paid.

To fix the term of of standard-keeper.

To compel the children of Pasquotank county, between six and fifteen years of age, to attend the public schools thereof.

To submit to a majority of the justices of Bladen county the working of the roads in said county by taxation.

To keep in repair the public roads in Yadkin county.

To provide for the better government of Edgecombe county by the election of officers by the qualified voters thereof.

To incorporate the Carolina Central Railroad Company.

The unfinished business of last night's session was resumed, being the bill providing for working the roads by taxation. It passed second reading.

Mr. Bailey, of Mecklenburg, explained his vote, saying he was opposed in general to keeping up the roads by taxation, but as this was a purely local matter he would vote aye.

The special order, in regard to the amendment of the charter of the city of Charlotte, was passed over informally.

Act to change the time of holding the courts of Nash and Wilson, in the third judicial district, passed third reading.

The minority report in the matter of Parker against Peebles, from Northampton county, was introduced, read and made the special order for 12 m. to-day.

To extend the time of organization of the Danbury Iron and Steel Company.

Consolidation of the laws of North Carolina, special order for 11 o'clock Thursday.

To consolidate the insurance laws of North Carolina.

Special order—the contested election case from Northampton county—was postponed until this evening at half-past seven o'clock.

The House then went into committee of the whole for the consideration of the bill to raise revenue, which was read by sections.

Amendment was made to section 23, by striking out \$5 and inserting \$15; by striking out \$25 and inserting \$50, and by adding the words "itinerant medical practitioners."

Section 25 (relating to the merchants' tax) produced much debate, several amend-

ments thereto being offered looking to the reduction of the tax.

Mr. Myers favored the reduction. It was unjust, onerous and burdensome.

Mr. Tate stated that the amount of revenue raised under this section amounted to \$30,000; the tax was a light one, the merchants being fully able to take care of themselves. If this tax is reduced he desired to know upon what other articles it would be placed.

Mr. Strudwick held similar views. The finance committee had done their duty well; we should beware how we interfere with their recommendations.

Mr. Lenoir favored the section as it was in the bill; the farmer makes but one profit on his crop; the merchant repeatedly turns his profits over.

Mr. Bailey, of Mecklenburg, spoke against the bill; it had the appearance of a double tax; could not vote for it as it now stands.

During the discussion the hour of adjournment was announced; the committee arose and reported progress.

Adjourned until seven and a half o'clock p. m.

SENATE.

NIGHT SESSION.

WEDNESDAY, Feb. 27.

Senate met at 7:30 p. m.

The boundary line between Warren and Vance counties came up as unfinished business.

Mr. Womack thought the bill ought not to pass. He sketched off a map of Warren and Vance and showed the jagged shape it would leave Vance to give back to Warren what was taken off.

Mr. Battle said it was a simple matter of justice to the people of this cut off who were forced into Vance against their votes and their wishes. As to the shape it would leave Vance he didn't think that a matter worth much.

Mr. Womack asked the yeas and nays on passage of the bill. Ordered—yeas 13, nays 23; so the bill failed to pass second reading.

Mr. Goodwyn, bill to establish a graded school in Halifax township, in Halifax county.

Bill to enable the people of Cumberland to establish a free bridge across the Cape Fear river passed second reading—yeas 38, nays 1.

Bill to incorporate the Southern Mining and Smelting Company. Passed third reading.

Bill for better drainage of certain lands in Lincoln county. Passed third reading.

Bill making appropriations to the insane asylums came up as special order.

The first question was on the amendments.

Mr. Pemberton said he was willing to compromise on \$25,000 for the asylum at Morganton instead of \$35,000. It cost more to take care of the insane than any other people and it was only because of the extravagance of the officers of those institutions.

Mr. Boykin hoped this discussion would not be prolonged. He was glad to see the senator from Stanley consenting to a compromise in his own mind. About two o'clock to-day he was absolutely in favor of striking out the whole of the fifth section.

Mr. Pemberton—Didn't I say this morning that I offered an amendment hoping to get some sort of a compromise out of you asylum folks?

Mr. Boykin—Yes, sir, I believe you did say something of the kind, but you musn't call me "asylum folks." [Laughter.] Mr. Boykin then spoke to the bill, showing the demands that called for the appropriations, giving the statistics of the insane in the State, and saying that with two hundred additional patients on their hands, there was only two thousand dollars more appropriation asked for in all than was given in 1880-81. He said there were now 683 insane in the jails, poor houses and private families in the State. He said the asylum at Morganton would be over nine hundred feet long when completed, three stories high with a basement, and all of brick and stone.

Mr. Battle spoke in favor of the bill; he was not in favor of correcting the extravagances of the officers of the institutions, if such there were, at the expense of the comfort of the inmates.

Mr. Linney gave affecting instances of the ragged and bare-footed insane who were wandering homeless for the want of room in the asylums to take care of them; he knew one, old man Elijah Church, in his county, who only a few years ago, was in good circumstances, and held office. He had never heard the least suspicion of anything wrong about the building of the asylum at Morganton. It is said, Mr. President, that there is a chief justice of hell; if so, to his heart and his alone can we appeal without any hope of success for aid in this matter.

Mr. Watson believed that the whole plan of this Morganton Asylum was too expensive at the start. He argued that fifty thousand dollars would complete that building. He said these appropriations were mostly asked for at night sessions. He referred in high compliment to Mr. Pemberton as nearly always right, a sure and steady stand-by, and styled him that good old moss-backed Senator from Stanley, who though he looks young is a hundred years old.

Mr. Payne asked Mr. Boykin if the \$70,-

000 additional appropriation would complete that asylum.

Mr. Boykin said it would.

Mr. Clarke spoke in favor of the appropriations.

Mr. Pemberton again spoke to his amendment, saying he was as much a friend to the poor insane as any man on this floor, but still he insisted that \$25,000 a year would complete this asylum.

Mr. Webb believed that the asylum should be finished, but these appropriations had been used in the canvass in his county and were made a party issue; it did seem to him that \$25,000 a year ought to complete it.

Mr. Womack thought Republican demagogues making it a party issue should have nothing to do with it, the builder should know how much was needed, there were bound to be over three million brick in it, and that of itself would be over twenty thousand dollars for the mere brickwork.

Mr. Pinnix made a statement of the work as started by the Legislature of 1874-'75.

The previous question was called.

Mr. Webb's amendment to strike out \$35,000 and insert \$25,000 was voted on. Mr. Pemberton asked the yeas and nays. Ordered. Yeas 7, nays 33, so the amendment was not adopted.

The question then came up on the amendment of Mr. Pemberton to strike out \$58,000 to the asylum here and make it \$50,000, and Mr. Dotson's amendment to that to make it \$45,000. Amendments voted down.

The question then came up on the bill.

Mr. Hill said he was not in favor of voting for \$210 a year for the support of each inmate, he voted no.

Mr. Ramsay said he had something to do with that asylum some years ago, and the cost was about then what it is now, \$210 a year for each inmate. He voted aye.

Mr. Watson said there was too much the appearance of princely prodigality in the asylum here. He voted no.

Mr. Evans said as he could not tell how soon he might have to go there himself, he should vote for the appropriations.

The vote stood: Ayes 33, noes 8, so the bill passed second reading.

Mr. Hill offered an amendment that \$58,000 to the asylum here be struck out and \$50,000 inserted. He spoke to the amendment, referring to the clouds of suspicion, as he had heard in the House, resting over the asylum here, and mentioned the price of butter at 20 cents a pound as a remarkably high price in his county.

Mr. Purnell said he merely wished to rise to the question of butter; that even the butter you could purchase in Raleigh by the kit at 20 cents a pound was so rancid it could hardly be eaten. He said that Mr.

Thompson, the steward, was the peer of any man in the State.

Mr. Watson argued that the vouchers of the asylum here had not been examined, and that they should be seen into before this appropriation was made. He wanted to know if the asylum had been buying from any firm of which any of its officers were members.

Just here the hour of ten arriving, the appropriation bill for the Deaf and Mute Asylum was made the special order for tomorrow night, and the Senate adjourned.

HOUSE OF REPRESENTATIVES.

NIGHT SESSION.

TUESDAY, February 27.

The special order, the Parker-Peebles election case, was taken up.

The majority report of the committee on privileges and elections was submitted by Mr. McLoud.

Mr. McLoud made a few well-conceived remarks, giving a history of the labors of the committee. They entered upon their duties fully impressed with the importance of the case with a bias nevertheless natural to party men, but determined as men of honor and integrity to do full justice to both parties. After a long session and partial investigation the committee came to their conclusion. The contestee was given every opportunity to introduce any testimony he might desire bearing on his case. The majority were anxious and hoped for some evidence that would enable them to make a different report. There was no witness to show that any voter had been deterred from voting as he elected. No convincing evidence upon that point. The committee were satisfied on this point. Nothing but an overruling sense of duty actuated the committee in arriving at their verdict. In conclusion Mr. McLoud said he was reminded of the story of the girl who got ahead of the little boy at school in spelling the word which he missed. After school the little Miss apologized and said: "I am sorry I spelled the word because I love you so." And such was the case with him. He was sorry he had to spell the word; his feelings towards Mr. Peebles were of the kindest nature possible; he regarded him as one of the most useful members of this House, and would part with him with great regret.

The minority report of the committee was submitted by Mr. Simmons.

Mr. Simmons said: We are now trying one of the most important election cases known in the history of our State. Its importance consists in its novelty, for it presents features which have never been adjudicated by any General Assembly in this State within my knowledge, and its novel feature is the one of fraud and violence, but more on that further on.

This is important, not to the parties themselves alone, but as I have before said, to the State of North Carolina, and more especially important to the people of Northampton county.

Now, if I have the proper idea of what we are to do in this matter, it is to ascertain to which of these suitors (and I will call them such) belongs this office or property, and in calling it property, I am sustained by the Supreme Court of our State in the case of Hoke vs. Henderson; there they have decided that an office is property, and the holder has a right of property therein. In the report offered by the majority of the committee, they admit in express words, that if they had been governed by the same rules of evidence observed, and which have been established in courts of justice in the trial of title to property for hundreds of years, Contestant Parker offered no evidence or piece of evidence which was admissible. And if this is property, and our Supreme Court is right in deciding and calling it such, and to that I presume no man will except, then the committee did wrong in admitting the evidence, which the minority claim and hold is incompetent. It is wrong to admit the evidence (which will be more fully discussed further on) for the reason that there ought to be, and is only one set of rules for the trial of title to property.

The evidence offered by the contestant was certified copies of the returns of the election at Thomas' store, Harding's store and at Rich Square, certified to both by the clerk and Register of Deeds of Northampton county. Now in 1876-77 our legislature passed an act which required the canvassing boards to deliver the original returns to the clerk to be filed in his office and abstracts to be recorded; section 29, chapter 275. There is no law to be found in any of our books where it requires the original returns to be recorded or where it says they are filed as recorded, and copies from these recorded abstracts or from the original cannot be admitted in evidence, for the reason that there is an express rule of law, which excludes secondary evidence unless the primary or best evidence is accounted for. Under this rule at common law a copy of no written instrument could be given in evidence unless the original was destroyed or could not be obtained, and this fact made known to the court. It will not be denied that these originals, from which these certificates were made, could not have been obtained. Their absence is not accounted for, which would be required at common law, and, in addition to this, our Supreme court has time and again decided that a copy of no instrument, not required by law to be registered, can be offered in evidence. This position is sustained by *Garland vs. Goodloe*, 2nd Haywood, *Yarboro vs. Beard*, *Taylor's*

Reports, *Burnett vs. Thompson*, 13th Ire dell, *Burnett vs. Thompson*, 3rd Jones; these originals are not required by law to be registered, and that being true, nothing is better established than their admissibility as evidence. At Bradley's store no returns were made, but the contestant obtained the original in this instance with a transcript from the board of commissioners for the county of Northampton establishing Bradley's store precinct; but offered no transcript of said board that the parties, whose names appear in said returns, to show that they were authorized by law to hold such election. Therefore, nothing appearing to the committee that they had authority, except the simple transcript establishing the polling precinct, and no returns to the board ever having been made, from which not even the certified copy upon which the contestant has throughout relied could be made; it should not be admitted, over the vote counted.

Mr. Speaker, let us see if there is any moral or equitable ground or reason why these rules of practice, old as the hills, should be broken down, and this testimony admitted. It was in evidence, and strong enough too, for the minority; that at every polling precinct mentioned in contestant's complaint, there was an organized force to snatch and examine tickets. This was proven to be so at every box on the day of election. It was proven that on the day of election at each precinct, those who wished to vote for Peebles were, at the ballot box threatened and prevented; personal violence was threatened; telling them that they (these watchers) would shoot them; and one of these ticket-snatchers was a poll holder himself. A sad commentary on elections. Now, in addition to this personal harm threatened and offered them at the polls on the day of election, there was an organized force employed to canvass and scare the ignorant—and I will say innocent—colored people, by telling them, that if Capt. Peebles was elected they would be again placed back into slavery, and the whipping-post established.

This thing has gone on, Mr. Speaker, in Eastern North Carolina long enough, it is time it should be stopped; it is time to teach unprincipled white men who are in politics only for the office, that this mode of carrying the election must be stopped; that this way of taking advantage of the ignorant negro, who has not the advantage of an education is at an end, and that in free America a man has a right to vote for himself. We, who live in the East, can better see the necessity of ending this corruption on the part of corrupt Republicans, for it needs not the evidence offered in this case, to convince us, because it is a corruption and fraud that we ourselves have seen at the polls on the day of election. A better

opportunity will never present itself to a North Carolina Legislature to set the seal of its condemnation and disapprobation upon such a mode of procedure, and thereby teach these unprincipled Republicans that such conduct will not be tolerated by any decent and honest people.

Mr. Speaker, more than one hundred years ago our fathers declared the thirteen original colonies to be a free government; to sustain that "declaration," it cost many lives of the truest patriots that ever lived, but they succeeded, and by that victory we were made a free people; by that victory we had guaranteed to us the right of choosing our representatives in office. All these gifts were alike guaranteed to all, and today these belong to every American citizen.

This is a grand, glorious and great government, and, Mr. Speaker, its grandeur, glory, and its greatness, depend upon maintaining the purity of the ballot-box and the freedom of the elective franchise.

Now, in conclusion, I will say I hope no North Carolina Legislature will, as you are asked to do in the majority report, override these well established rules of evidence, which are hoary with age, for the purpose of turning out a tried and true Democrat, and in his place seating a Republican who was elected by fraud, by threatening and scaring ignorant negroes to vote against their own wishes, and who himself took a part in such disgraceful conduct.

I have discharged my duty to the Legislature in this matter, and though an arduous task, still a pleasant one, for to work in a cause that I know to be right, as I am sure this is, does not make my labor irksome.

I feel, too, Mr. Speaker, that I have discharged my duty to the good people and Democrats of Northampton county, and to the honorable gentleman representing them, whom I have learned to love for the man, and to admire for his ability, whose usefulness to North Carolina in this Legislature is incalculable, and to whose speeches for sound State policy and for pure Democratic doctrine I have listened with inexpressible pleasure.

Mr. Peebles' remarks have been received and will appear in a day or two.

On the resolution of the minority of the committee, that Mr. Peebles was entitled to the seat, the vote was: Yeas 16, nays 88.

On the resolution of the majority, that Parker was entitled to the seat, the vote was: Yeas 88, nays 14.

Mr. Parker came forward, qualified and took his seat.

SENATE.

FORTY-NINTH DAY.

WEDNESDAY, Feb. 28, 1883.

The Senate was called to order at 10 o'clock.

Prayer by Rev. Dr. Skinner.

PETITIONS.

Mr. King, of Pitt, from citizens asking for convict labor to drain swamp lands in Pitt county.

Mr. Caho, from citizens of Lenoir county, asking for a stock law.

BILLS.

Mr. Toon, to amend section 1, chapter 150, laws of 1881, relative to the entry of land in Columbus county belonging to the literary board.

Mr. Caho, making an alternative method of constructing and keeping in repair the public roads for Forsyth, applicable to the State at large.

Mr. Graham, to amend the charter of the town of Troy, in Montgomery county.

Mr. Berry, to amend the law relative to the appointment of trustees.

Mr. Caho, supplemental to the act to prevent live stock from running at large in the counties of Green and Lenoir, also bill to provide for the removal of causes in the inferior courts, and regulating the proceed ings therein.

Mr. Dortch, for the relief of the Bergman Manufacturing Company.

Mr. Toon, to establish a graded school in Shoe Heel township, in Robeson county.

THE INSANE ASYLUMS.

Bill making appropriations to the insane asylums of the State came up as unfinished business of last night.

Mr. Boykin called the previous question. Mr. Hill's amend ment to strike out \$58,000 and insert \$50,000 was voted down.

The bill passed third reading.

Bill to enable the people of Cumberland county to establish a free bridge over the Cape Fear river passed third reading—yeas 36, nays 0.

There was a Senate amendment providing a mortgage on the bridge until it was paid for and the bill was returned to the House for concurrence.

Mr. Goodwyn moved to reconsider the vote by which the bill concerning Warren and Vance failed to pass its second reading yesterday. Reconsidered.

Mr. Alexander sent forward a substitute. He said as this measure was of very great importance, particularly to that portion of Warren affected by the new county, he would like the Senate to hear the reasons for passing this substitute; and as many of the people of Warren were present in the matter he had the bill referred to a committee that they might be heard on it this evening.

Bill to authorize the commissioners of

Tyrrell county to levy a special tax. Passed its third reading. Yeas 30, nays none.

Bill to authorize the establishment of graded schools in the State.

Mr. Pemberton explained the objects of this bill, saying it was intended to meet the wants of the cities and towns that had no graded schools. The bill provides that 100 tax-paying citizens, one-fourth of whom shall be freeholders, may petition the board of commissioners, who may order election. It provides for election of trustees of such schools, and limits special assessments to one-fourth of one per cent. and seventy-five cents on poll.

The bill passed its third reading. Yeas 28, nays none.

Bill concerning the inspection of timber in the city of Wilmington. Passed its third reading. This was Mr. Boykin's bill.

NINE CONGRESSIONAL DISTRICTS.

The President announced that the hour of 11 a. m. for the special order had arrived, it being the bill to divide the State into nine Congressional districts. Passed its third reading.

Bill to amend the charter of the Oxford and Henderson Railroad Company, (The chair said before the vote was announced that it would fail for want of a quorum unless the Senators paid more attention, and voted when their names were called.) passed its third reading. Yeas 28, nays 3.

INJURIES BY CARS.

Bill to prevent negligence about railroad cars, and to protect persons from injuries by the cars.

Mr. Linney explained that under the bill, idle and mischievous persons, boys, &c., who should hang around a train of cars, on the platform, &c., after once forbidden could be fined \$10 before a justice of the peace.

Mr. Jones read the police section in the Code for railroads, and thought that was amply sufficient.

Mr. Toon thought it an eminently proper bill. In his village a young man was ruined for life just in that way.

Mr. Battle said, for the committee, that they were unanimously in favor of it.

Mr. Loftin thought, too, it should pass, if for nothing more than to keep off these little street Arabs.

Mr. Webb saw no reason for not giving the relief asked for. He thought it a capital bill.

Bill passed third reading.

W. N. C. R. R.

Bill for the sale of the State's interest in the Western North Carolina Railroad.

Mr. Morehead said he saw no chance for adjourning next Monday; that this was a very important bill, and moved it be printed, including the report of the committee. So ordered.

Bill to incorporate the town of Ashboro.

passed second reading—yeas 34, nays 1.

Bill relating to the public schools in Raleigh township, passed third reading—yeas 37, nays 0.

Bill to incorporate Black Mountain Railway Company. Passed third reading.

Bill to create the office of Railroad Commissioners and for other purposes. [Some Senators—"Pass it over informally." Mr. Pinnix—Mr. President, I move to make it special order for Friday at 12 o'clock.]

Mr. Watson said there was a bill in the House for the same and if we passed this they would not pass that.

Mr. Alexander said he was opposed to throwing the responsibility on the House to pass a bill. This was a short bill and could be soon read.

Mr. Pinnix's motion to make the bill special order for Friday at 12 o'clock, prevailed. This is Mr. Pemberton's bill.

Bill to protect the rice plantations of Eagle Island in Brunswick county. Passed third reading.

Bill to repeal the local prohibition law in the town of Rutherfordton.

Mr. Eaves said the people in that territory wanted the law repealed. He had petitions.

Mr. Webb said he held petitions from some of the best citizens of that town and he knew that they did not want the law repealed. He knew that the Senator from Rutherford had petitions, and some eight or ten names of good citizens, but the most of the petitions were from the liberal free-whisky Republicans, who of course wanted the law repealed.

Mr. Eaves replied, saying it was a strictly prohibition fight in his county, and if the Senator from Cleveland could stand it he could; but he wanted the yeas and nays from this Senate on the passage of the bill. Ordered.

A Senator asked for the report of the committee. The Clerk replied that the bill was reported unfavorably.

The previous question was called. The vote stood, yeas 18, nays 21, so the bill failed to pass second reading.

Bill to establish a graded school in the town of Kinston, in Lenoir county, passed second reading, yeas 32, nays 0.

CONFEDERATE SOLDIERS.

Mr. Loftin's bill, entitling Confederate soldiers to the benefit of the act passed, giving those of them who had lost eyes, hands or feet, \$5 a month from the date the act was ratified in 1879, passed third reading.

Resolution in favor of Alfred Williams & Co., passed third reading.

Bill supplemental to act at present session making February and August terms exclusively for trial of civil causes, allowing jail deliveries at these terms, passed third reading.

Bill to prohibit the sale of liquor in certain places in Randolph county, passed its third reading.

Bill to establish a graded road in the counties of Wilkes and Ashe, passed its second reading, yeas 34, nays 0.

THE STATE GUARD.

Bill for the encouragement and support of the State Guard. [Mr. Dortch's bill.] Authorizes the Governor to pay \$150 a year to each active company; not to exceed 25 companies in the State; the Adjutant General to be appointed by the Governor; and gives him a salary of six hundred dollars.

Mr. Dortch, at the request of the Senator from Burke, explained the objects of the bill. The money paid to the companies was to provide them an armory. Mr. Dortch said unless these gentlemen received something they would be bound to disband.

Mr. Alexander hoped the bill would pass; the appropriation was much less than in any other State; these companies were the conservators of the peace; he referred to the great service rendered when the Plymouth riot took place, and one of the men (it was terrible weather) ruined his health, and it had taken all his estate in attempting to recover his health.

Mr. Clarke spoke in favor of the bill.

Mr. Watson said we used to have the old militia system that required much greater expenditure than this bill asked. He had seen the military company of his own town quell a great riot simply by turning out and without firing a gun.

Mr. Webb earnestly supported the bill and spoke of the necessity of the appropriation.

Mr. Lovill opposed the bill; the appropriation would be over four thousand dollars, and was almost useless.

Mr. Purnell offered an amendment to make more colonels. Voted down.

Previous question called.

Mr. Graham asked the yeas and nays.

Mr. Ebbs said he was satisfied the people of his county didn't want this bill; the sheriffs and constables attended to such matters up his way.

Mr. Linney was opposed to arming both races.

Mr. Carter didn't want to fight; if there was trouble he wanted the Governor to call out somebody else than himself; he should support the bill.

Mr. Mebane said the colored people were a quiet people; he saw no necessity for the bill as far as his race was concerned; he should vote no.

Vote stood—yeas 19, nays 17; so the bill passed second reading and then passed third reading.

Bill to amend the charter of the town of Greenville, in Pitt county. Passed second reading—yeas 28, nays 0.

Bill to authorize the commissioners of

Richmond county to pay certain school orders. Passed third reading.

Bill to extend the time for the organization of the Danbury Iron and Steel Manufacturing company, passed third reading.

Bill to amend section 2, chapter 337, laws of 1879. Modifies the law relative to freights. Passed third reading.

Bill to authorize the board of public buildings to appoint the keeper of the capitol, and the trustees of the State library to appoint the State Librarian, passed third reading.

Bill to incorporate the Southern Bonanza Gold Mining Company, of North Carolina, passed third reading.

Bill as to conditional sales, requiring they shall be in writing and registered as mortgages, passed third reading.

Bill to drain the lowlands of Middle Fork and Muddy Creek, in Forsyth, passed third reading.

Bill supplemental to an act to amend chapter 83, Battle's Revisal, concerning oysters in Core and Bogue Sounds, in Carteret county, passed third reading.

Bill to throw the State lands into the Board of Education, so that they could sell them, passed third reading.

Bill to secure creditors a just division of the estates of debtors; substitute from the committee adopted, and the bill passed third reading.

Mr. Purnell said the bill was to cure the evil of assigning to irresponsible assignees.

Bill to allow John Green and Samuel Fines, of New Hanover county, to redeem land sold for taxes, passed third reading.

Bill to amend the law so as to have prohibition for Mt. Pleasant church in Green township in Guilford county, passed third reading.

AGAINST FREE PASSES.

Mr. Dortch's bill against allowing free passes came up. Many Senators notified the Chair of amendments.

Mr. Morehead offered an amendment to strike out section 1.

Mr. Scott, of New Hanover, moved to table the bill. He did not believe in throwing away time.

Mr. Dortch asked the ayes and noes on that motion.

Mr. Watson amended that if an officer or agent of a railroad shall violate the provisions of this act, the company represented shall also be guilty of a misdemeanor and on conviction be fined at the discretion of the court; the fine and costs to be enforced by an execution against the property of such company. Also to strike out section 6; and also that this act shall be in force from and after its ratification.

Mr. Watson spoke at some length in earnest advocacy of the bill; he thought if it passed that the Senator from Wayne

would prove himself a great benefactor in purifying the politics of the State.

Mr. Dortch asked the ayes and noes on Mr. Morehead's amendment. Ordered. Ayes 25, noes 16; so the amendment to strike out section 1 was adopted.

Mr. Cozart offered an amendment that the act should apply to all editors except the editors of religious newspapers.

Mr. Finney took the floor and was speaking in favor of the bill when the hour for adjournment arrived, 2 o'clock, at which hour the Senate the other day resolved unanimously that recess should be taken every day until seven at night.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 28.

The House was called to order by Speaker Rose.

Prayer by Rev. Dr. Skinner.

PETITIONS.

Mr. Sherrill, from citizens of Catawba county against the change in the fish law.

Mr. Poe, from citizens of Leasburg township, in Caswell county, asking the appointment of certain justices of the peace.

Mr. Cheek, to change the limits of Chapel Hill.

RESOLUTIONS.

Mr. Johnson, of Johnston, concerning the board of agriculture.

Mr. Marsh, to pay the commissioners appointed to sell State's interest in the Cape Fear and Yadkin Valley Railroad.

BILLS.

Mr. Forbis, to change the name of Bruce township, in Guilford county, to Summerfield township.

Mr. Lenoir, to aid in the construction of a road in Watanga county.

Mr. Cheek, to extend the corporate limits of the town of Chapel Hill, Orange county.

Mr. Sutton, to allow the citizens of Chowan county to elect their county officers.

Mr. Powers, of Cumberland, to change the time for holding the Superior Courts of the fourth judicial district.

Mr. Newby, to enable the qualified voters of Pasquotank county to elect all county and township officers.

Mr. Page, of Jones, to empower the proper authorities of Jones county to assign hands to work on Trent river in said county.

Mr. Williamson, to establish a public ferry across Waccamaw river, in Columbus county, near Piraway.

Mr. Phillips, for the free passage of fish in Dan River.

CALENDAR.

Upon motion, the bill to amend chapter 58, laws of 1870-'71 and '79, was taken up and passed its several readings; also the bill to consolidate the insurance laws of North Carolina.

To authorize the commissioners of Swain county to build a court house, passed second reading.

To create a new township in the county of Rowan, passed third reading.

To establish a graded school in the town of Edenton, passed third reading.

For the benefit of the farmers of Caswell county, failed to pass second reading.

RAILROAD COMMISSION.

An act, to create a railroad commission was taken up. A great many amendments were offered, and pending their discussion the hour for the second special order occurred, and the further consideration of this bill was dispensed with to take up the second special order, bill for the revision and consolidation of the public and general acts of North Carolina, known as the Code.

On motion this was postponed until 7:30, and the House resumed the discussion of the railroad commission bill.

Mr. Overman, in support of the bill introduced by him, said that he desired to see this commission established, with power to regulate freight charges and passenger rates. It was the most important bill before this Legislature. He had no hostility towards the railroads; would do nothing to cripple them. We have been relieving railroads all this session, and not one single act have we passed for the good of the people; this evil would stand between the people and the railroad. There was a demand for this regulation of freights. Twenty-three States have organized a commission of this character. If there is any doubt about this body having the power to enforce the provisions of this act, let it be passed and submitted to the opinion of the supreme court. It was well known that most of the lawyers of this State agree in opinion that we have the right to regulate the charges for freights by railroads chartered prior to 1868.

Mr. Forbis moved to lay upon the table, and take up the minority report of the joint committee of the Senate and House. The motion prevailed, and Mr. Forbis offered amendments which, if adopted he had assurances from Senators would pass that body.

The amendments provide for the election of the commissioners for two years instead of four years; make changes in rates when deemed necessary. The salaries of commissioners and clerk are \$1,500 each. Both political parties are to be represented in the commission (commission to meet once a month.)

Mr. Tate offered a substitute, which he said had been submitted to some of the ablest lawyers in the State. There was no doubt as to the power of the Legislature to enforce the provisions of this bill. His substitute is as follows:

ACT TO FIX MAXIMUM CHARGES FOR THE TRANSPORTATION OF PASSENGERS AND FREIGHT ON RAILROADS AND TO APPOINT A COMMISSION.

Section 1. Makes it unlawful for any corporation or persons operating a railroad in this State, or partly in this State and partly in another State, by itself, agents, etc., to charge or receive a greater rate of fare for transporting passengers than is hereinafter established, provided the passenger shall purchase a ticket before entering the train and the ticket office shall be kept open for the sale of tickets for thirty minutes before the departure of each train carrying passengers, three cents per mile. Provides that ten per centum may be added to this rate for superior accommodations.

Sec. 2. Not lawful for any company to unjustly discriminate against any city or town on its line in this State by establishing a rate on freights to or from such town greater than is charged for like freight for a longer distance in the same direction. Provided, the commissioners may make exceptions under rules to be established by them if deemed needful. Provided further, that nothing in this act shall apply to passengers or freights carried from points outside this State through the same points beyond its borders, whether shipments be made by railroad or by railroad and water, except the tax of one mill per mile upon passengers which is hereinafter provided.

Sec. 3. The commissioners to consult with authorities of railroads doing business in this State, and agree upon a uniform classification of freights as nearly as may be without injury to any local interest.

Sec. 4. Three commissioners to be appointed by the Legislature, to serve four years. Their office shall be open at all times; to receive complaints, to adjust all, claims for damages, overcharges, loss &c. differences between transportation companies which may be referred to them; shall keep a record of their proceedings, make semi-annual reports to the Governor and make such recommendations as their observation may suggest; shall go at least quarterly over the various roads; to acquaint themselves with the condition of the roads, bridges &c., and report on the same to the chief officer of each road shall receive no fee from any company for any service nor shall they hold any office "from, in, or by any of such transportation companies."

Sec. 5. For defraying the expenses of the commission there shall be collected from the companies doing business in this State, one mill per mile of and from every person transported over any railroad in the State (except employees); every railroad company to make monthly reports of such taxes collected and transmit to the Treasurer of the State, who is to keep the same in

a separate account for the purpose of defraying the cost of the commission.

Sec. 6. Salary of the commissioners \$2,100; of the clerks \$1200. Reasonable allowance for office rent, stationery, postage &c., but not to exceed \$600.

Sec. 7. First day of every year the Treasurer, after paying expenses of commission, to turn into general fund the balance of passenger tax and open new account for the next current year.

Mr. Robins supported the substitute; legislation on this subject was demanded; this substitute would meet the wants of the people.

The substitute was then read by sections. Amendment by Mr. Bower: strike out 4 and insert 2 in line 3, section 4.

Mr. Hayes: no person interested in any railroad, or any attorney for any railroad, or any member of the Legislature, shall be eligible to a place upon the commission.

Pending discussion the House adjourned.

SENATE.

NIGHT SESSION.

February 28.

Senate met at 7:30.

Bill against free passes came up as unfinished business of this morning.

Mr. Watson's was the first amendment pending. There was another amendment of Mr. Watson's making it unlawful for any legislative, judicial or executive officer, etc., to receive a pass.

Mr. Payne sent forward a substitute to strike out all after the enacting clause and insert: That hereafter all judges of the Supreme and Superior Courts in this State, solicitors, State officers and members of the General Assembly shall in addition to their oath of office take the following: I—do solemnly swear that I will not receive any gift, gratuity or free pass over any railroad, steamboat, etc., etc.

Mr. Linney continued his speech of this morning in behalf of the bill. He believed he would favor Mr. Payne's substitute, he wanted hereafter to find no judge on the bench with a free pass in his pocket.

Mr. Toon considered the bill an assault on the virtue, honesty and patriotism of the best citizens in the State—the leaders in society and politics. But he blamed no man if he felt himself weak enough to be influenced by a railroad pass for voting for such a bill. So far as a Senator's constituents can trust him he may be able to trust himself. The title of the bill ought to be changed to that of an "act for the benefit of railroads and their attorneys"—he considered it as demagoguery in an endeavor to degrade the people who sent us here. It seemed to him a humiliating confession that "every man had his price."

Mr. Dortch said it was generally charged

throughout the United States, and believed by a great many persons, and he was one who believed that railroad monopolies were governing this country. He never wanted to see North Carolina controlled and corrupted again by railroads as she was in 1868. He believed every judge on the bench in North Carolina was pure now, and every member of the Legislature the same, and now let us keep them pure. Keep them above suspicion. Pass this bill and they will be above suspicion. It was not a mere compliment to the Legislature, the free passes, for do they continue any longer than the sessions last? He did not believe they were given with a corrupt motive by the railroads; their officers he thought, were too much of gentlemen for that, but then the mere having of a pass caused a better feeling towards the road. Don't let it be said that a convention was held in Raleigh, Greensboro or any where else, and have it said the railroads controlled it because they gave every man a free pass to come to it.

Mr. Pemberton said when this bill first came up, he thought of Thomas Jefferson on his rat-tail pony, and longed for the old days to come back again. He knew that on Fridays and Saturdays these chambers were emptied, but he was like the Senator from Wayne, he didn't mean a charge against any one, for this Legislature was above reproach, but he didn't want future Legislatures to come here riding on free passes. It seemed that the people wanted a railroad commission, but this Senate had sat down on that, and now they were against free passes; he hoped the Senate wouldn't sit down on that.

Mr. Payne said he had offered his substitute as the most conservative to reach the evils complained of.

Mr. Battle spoke in support of the bill.

Mr. Toon thought while it might be proper for this Senate to say for itself that it would not accept passes, we had no right to go outside and impugn the motives of any one by forbidding them to receive such.

Mr. Watson said that which this morning seemed to be a joke, if we judged by the vote, had grown to be a very serious matter. He told of Lord Bacon whom the people of England made an example of for receiving presents and having a railroad pass in his pocket, and after that there was no more receiving of presents by the English Judges. But this bill was not meant as a reflection upon any one. He "played" on the railroad ticket to the members "Good for sixty days." He would say to the railroad companies, "Away with your compliments! Wait till I have no power to do you good or injury, and then I'll appreciate your compliments."

Mr. Pinnix said he should have said nothing.

ing unless the subject of railroad commission had come up. He had a pass in his pocket, as he reckoned they all had, and still he had been the advocate of a minority report; that was the only bill worth a cent for restraining these railroads, and some of these men who were now pitching into the free passes were the very men who voted against a railroad commission.

Here a pleasant colloquy took place between Mr. Pinnix and Mr. Pemberton, the former asking if Mr. P. had not spoken against the railroad commission, and the latter replying that he had only said that the commission was everything for itself and nothing for the people, and that he had a substitute for a commission which embraced his ideas.

Mr. Boykin said that the only question involved in this bill was free pass; he called the previous question.

Mr. Watson's amendment to make any man receiving a free pass indictable, came up. The yeas and nays were called. The vote was taken.

Mr. Evans said he had done about as little riding on a free pass as any Senator on this floor. He voted no.

Ayes 23, noes 20, so the amendment was adopted.

Mr. Watson's amendment as to misdemeanor on railroads for granting such passes, on vote.

Mr. Caho asked for the ayes and noes. Ordered. Ayes 19, noes 22.

Mr. Watson's amendment that this act shall be in force from and after its ratification.

Mr. Strayhorn asked the ayes and noes. Ordered. The vote was taken.

Mr. Jones said he believed this bill ought to apply to this Legislature, therefore he voted aye.

Ayes 37, noes 6, so the amendment was adopted.

Mr. Cozart said he would withdraw his amendment as to editors; it was only a joke.

The Senate objected to withdrawing. [It exempts religious editors.]

Mr. Strayhorn asked the ayes and noes. Ordered. The vote was called.

Mr. Watson said as he did not wish to load down this bill and kill it, he would vote no.

Mr. Hill said as he doubted the constitutionality of forbidding editors, he should change his vote from yea to nay.

Mr. Strayhorn said believing that the press was as much influenced by free passes as the Legislature he should vote aye.

Mr. Jones said as he desired to change the secular papers and make them religious he should vote aye.

Mr. Evans said if the gentleman who offered that amendment would assure him that he did not have a free pass in his

pocket at the time, he believed he would vote for it.

Mr. Cozart said he had one, and Mr. Evans said he would vote no.

The vote stood yeas 30, nays 12, so the amendment was adopted.

On the amendment not to apply the act to any president or superintendent of railroad company, the yeas and nays were called—yeas 12, nays 23, so the amendment was lost.

Mr. Jones' amendment not to contribute money for the use of any political party was adopted.

Mr. Mebane's amendment that all members of this General Assembly who have used such passes shall render them up to the President of the Senate, and pay over to the different corporations the amount of traveling they have done on them this session in money.

The yeas and nays were called; which resulted as follows: Yeas 35, nays 6. So the amendment was adopted.

The question was then on Mr. Payne's substitute. Voted down.

The question then came on the bill on its second reading.

Mr. Strayhorn asked the yeas and nays. Ordered.

Several Senators explained their votes.

Mr. Alexander said as it included editors, and he thought they had no right to do so he should vote no.

Mr. Caho said as he was an editor himself he should vote aye.

Mr. Evans said regarding the bill as an impeachment of the honor of this Legislature, he should vote no.

Mr. Webb said he was opposed to the bill at the start, he could but regard it as a reflection on the members of this Senate.

Two or three others explained, who, in the hurry and confusion of the moment, the reporter could not catch.

The vote stood: Ayes 34, noes 12, so the bill passed second reading.

Mr. Caho offered an amendment that no vehicle should give any person a free ride going to or coming from an election, or any political or public occasion, or in any way.

Mr. Watson objected that it was not germane.

The chair held it was.

Ayes and noes called. The vote stood: Ayes 15, noes 24, so the amendment was not adopted.

Mr. Webb's amendment that the act shall apply to all county commissioners in the various counties in the State.

Mr. Mebane's amendment, also to magistrates and ministers of the gospel.

Adjourned.

HOUSE OF REPRESENTATIVES.

NIGHT SESSION.

THURSDAY, February 28th, 1883.

The House met at 7:30 o'clock.

To incorporate the town of Smithfield, passed its second reading.

Act to incorporate the town of Conover, in Catawba county, passed its third reading.

To amend the charter of the town of Asheville, passed its third reading, and was sent to the Senate without engrossment.

To incorporate the town of Arden, in Buncombe county, passed its third reading.

To allow the commissioners of Lenoir county to levy a tax to build a bridge, passed its third reading.

Mr. Simmons, by request, introduced an act to amend and consolidate the acts incorporating the town of Lumberton, passed its third reading.

To incorporate the town of Harrellsville, in Hertford county.

To empower and authorize the commissioners of Rockingham county to levy a special tax.

An act commendatory of and supplemental to an act to prevent live stock from running at large in the counties of Greene and Lenoir, passed its third reading.

To establish the township of Roanoke, in Halifax county.

The bill brought out a great deal of discussion, participated in by Messrs. Baker, Hayes and Powers, of Cumberland, in opposition to, and by Messrs. Bailey, Barrett and Worthington in favor of. The ayes and nays were ordered; a great number of explanations of votes were offered, and the bill failed to pass its second reading.

In relation to the fees of sheriffs. Special order for to-morrow.

To authorize the commissioners of Vance county to levy a special tax.

Mr. Eaton desired to represent the majority of his county irrespective of party; had posted himself in regard to the wishes of his people on this matter, and was satisfied they were opposed to the measure. Passed its third reading.

Act to liquidate the debt of the county of Bladen. Passed its third reading.

Bill in relation to the fees of Superior Court clerks. Made special order for to-morrow.

To change the corporate limits of the town of Jacksonville, in Onslow county. Passed its second reading.

To incorporate the ——— toll bridge, in Catawba county. Passed its third reading.

To incorporate the Tar River Transportation Company. Passed its third reading.

To establish a graded school in Lumberton school district, No. 70, in the county of Robeson.

To prohibit the use of nets and set down seines or placing fish traps in the waters of Masonboro and Myrtle Grove Sounds, in New Hanover county. Passed its second reading.

Act to regulate and repair the public bridges in Onslow county. Passed its third reading.

To alter the line between Caldwell and Wilkes counties.

Mr. Bryan said this takes off a portion of Wilkes and attaches it to Caldwell. He had heard from his people about it. Only one person living in the bounds given to Caldwell had signified to him that he desired the change.

The bill was referred to the committee on propositions and grievances.

Relating to graded schools in Guilford county. Second reading.

To incorporate the Statesville and Catawba Toll Bridge. Third reading.

To prevent the felling of timber and trees in Helso and Cole Swamp, in Duplin county. Third reading.

To authorize the commissioners of Buncombe and Henderson counties to finish the Spartanburg Railroad, passed third reading.

To amend chapter 234, public laws of 1881, and to amend chapter 81, private laws of 1873-74. Second reading.

To authorize the commissioners of Person county to subscribe to the Roxboro Railroad, passed second reading.

In reference to the town of Wilmington, passed third reading.

Mr. Forbis moved the suspension of the rules that he might make a motion to extend the hour of adjournment to 11 o'clock to-night.

The rules were suspended and the motion prevailed.

Act to incorporate the Yadkin Falls Manufacturing Company, county of Stanly. Passed third reading.

To secure the better drainage of the lowlands of Fry creek, Davidson county, passed third reading.

Act to establish a mortuary table, passed third reading.

To incorporate the town of Woodlawn, in Catawba county, passed third reading.

To amend chapter 19, private laws of 1881, passed third reading.

To extend the corporate limits of the town of Windsor, in Bertie county. Committee on corporations.

To incorporate the village of Leonsburg, Hyde county, passed second reading.

To change the charter of the town of Edenton. Referred.

Mr. Sutton: The bill to change the charter of the town of Edenton, was introduced by some one, I know not who, but I am sure the people do not want the change. It will be a great injustice to the people I

have the honor to represent to change the charter of Edenton without their consent. I have not seen a petition nor a letter from any one asking for the change.

To incorporate the Cashie and Chowan Railway and Lumber Co. Third reading.

Concerning the duties of the mayor and board of aldermen of the city of Goldsboro.

To incorporate Central Institute for young ladies. Third reading.

To prevent the felling of trees in Grant's Creek, Rowan county.

To incorporate the town of Garner's Station in Wake county. Second reading.

To provide for the working of the Wilmington and Whiteville road in Columbus county. Third reading.

For the improvement of the streets of Raleigh. Second reading. [The provisions of this bill have already been published in the NEWS AND OBSERVER.]

To incorporate Big American Reduction Company. Third reading.

To improve the streets and sewers of Greensboro. Second reading.

To incorporate Mt. Holly Manufacturing Company in Gaston county. Third reading.

To incorporate the N. C. Central Railway Company. Special order. Referred to internal improvement committee with the request to report to-morrow night.

Concerning the manufacturing of brandy in Mitchell county. Third reading.

To annex a portion of the county of Jackson to Swain county.

Resolution by Mr. Williams, of Granville, to allow clerical assistance for the engrossing clerk.

To annex a portion of Jackson county to Swain, pending which the House adjourned.

SENATE.

FIFTIETH DAY.

THURSDAY, March 1.

Senate called to order at 10 o'clock.

Prayer by Rev. Dr. Atkinson.

PETITIONS.

Mr. Clarke, from the citizens of the cut-off portion of Warren, protesting against any change.

Mr. Sebane, from certain citizens of Windsor and vicinity against the extension of charter.

Mr. Womack, of citizens of Vance, asking against dismemberment.

Mr. Clarke, from the Warren portion of Vance asking to be let alone.

Mr. Jones, from Warren portion of Vance, protesting against being put back in Warren.

Mr. Clarke, from certain citizens of Craven, asking to be allowed the use of drift nets.

Mr. Watson, of the citizens of Vance, asking against dismemberment.

BILLS.

Mr. Watson, bill to amend the charter of the town of Winston.

Mr. Caho, resolution on adjournment, fixing the day on Saturday, March 10th at 12 m.

Mr. Ebbs, bill to prohibit liquor in two miles of Forks of Ivey and Pleasant Gap churches, in Buncombe and Madison counties.

FREE PASSES.

Bill against free passes came up as the unfinished business of last night.

Mr. Caho wished to indefinitely postpone a- it was trifling legislation.

Mr. Dortch did not regard it as trifling legislation, some of the amendments adopted were trifling, but the cream of the bill was still in it.

The previous question was called.

Mr. Webb's amendment that this act should apply to all the county commissioners in the State was on vote.

Mr. Dortch asked the yeas and nays. Ordered. The vote stood, yeas 22, nays 24, so the amendment was not adopted.

Mr. Toon's amendment to strike out section 4, as to making it unlawful to give any person money to pay his way to political conventions, &c.

Mr. Dortch asked the yeas and nays. Ordered—yeas 11, nays 26, so it was not adopted.

Mr. Caho's amendment applying the act to hotels, that give free entertainments to political conventions on public occasions of any kind.

Mr. Forehead raised the point that this was not germane to the bill. The Chair so held it.

The question then was on the passage of the bill on which the yeas and nays were called.

The vote stood, yeas 27, nays 17.

Several Senators explained their votes. Mr. Watson saying he was glad one branch of this Assembly had put itself right voted aye. Mr. Caho, saying he was opposed to the bill per se, voted nay; and Mr. Evans, saying, "Mr. President, I vote no because I regard this bill and all its amendments as nothing more than a bumcombe arce."

DEAF, DUMB AND BLIND INSTITUTIONS.

The bill for the appropriation to the deaf dumb and blind asylum—substitute from the committee adopted. Mr. Pinnix spoke for the substitute as chairman of the joint committee, showed the necessity for the appropriation, and the bill passed its third reading.

The Senate concurred in the engrossed House amendments to the bill to consolidate the insurance laws of North Carolina.

Bill to create a new township in Rowan county by the name of Steele township, passed its third reading.

Bill to amend the charter of the town of Durham. Passed its second reading. Yeas 32, nays none.

Bill to incorporate Ashboro in Randolph county. Passed its third reading. Yeas 34, nays none.

Bill to establish graded schools in the town of Kinston, in Lenoir county. Passed its third reading. Yeas 29, nays none.

Bill to amend the charter of Greenville, in Pitt county. Passed its third reading. Yeas 36, nays none.

ROANOKE NAVIGATION COMPANY.

Bill to promote the objects of the Roanoke Navigation and Water Power Company, which gives the company the use of the waters in said river, (Wm. Mahone and others being the incorporators.)

Mr. Scott said the amendment offered by the Senator from Forsyth provided that the stock of the county should be exempt from taxation. Am opposed to this. We have refused to give exactly this exemption to other companies. Why do any more for this company than for others? Besides the friends of the measure did not have this provision in their bill when it was presented, and as it passed the House. If Senators think stock in manufacturing companies should be exempt from taxation, pass a law applying to all companies, and do not injure other companies by discriminating in favor of this one. I offer an amendment to strike out that part of the pending amendment which exempts the stock of the company from taxation.

Mr. Battle supported the bill and the amendment of the Senator from Forsyth.

Mr. Alexander favored the judiciary amendment. He was opposed to Mr. Watson's amendment.

Mr. Watson's position on the bill was to tax the property and not the shares.

Mr. Goodwyn did not want the water interfered with. He wished them to have all the water they could use.

Mr. Womack advocated Mr. Watson's amendments.

Mr. Caho did not want the company to use the water to the injury of others, and his amendments were to that end.

Mr. Morehead read from the acts of 1812, and showed that the purchasers bought only certain rights of navigation, and not of manufacturing.

Mr. Watson's amendments as a substitute for the committee's amendments were adopted.

Mr. Caho's amendment not to divert the course of the river to the injury of the mills on the Northampton side was adopted.

The bill then passed third reading.

Bill for the relief of the creditors of the former town of Fayetteville and for other purposes. Mr. Boykin explained the nature of the bill, and stated that with one exception the terms of the bill as he in-

formed had been agreed upon. Bill passed second reading, yeas 30, nays 1.

Bill for the benefit of the farmers of Gray's Creek township, in Cumberland county. Mr. Boykin explained that the bill was satisfactory to the committee, and it passed third reading.

Bill to provide a great seal for the State, &c., passed third reading.

Bill to authorize the county commissioners of Wakeburg to elect a physician for the poor, passed third reading.

Bill to incorporate the Tar River Transportation Company, passed third reading.

Bill to authorize the commissioners of Caldwell county to offer a bounty for the killing of all predatory animals—amendments adopted and the bill passed third reading.

Bill to incorporate the Weldon and Garysburg Road, Bridge and Ferry Company. Mr. Goodwyn explained the bill and it passed third reading.

Bill to establish a graded school in Shoe Peel township in Robeson county. Amendments adopted and the bill passed third reading.

Bill for the relief of the Bergman manufacturing company.

The company had authorized its agent to take out license and he had failed. The company acted under the idea he had done so; they had since paid all fines and wished to be relieved of so much of them as go to the State. The agent appeared before the committee and acknowledged it was his fault.

Mr. Strayhorn said if this bill passed you could relieve any man who violated the law. It was the drummer's business to have the license in hand. A drummer told him on the train the other day that he had traveled with six drummers, not one of whom had his license.

Mr. Clarke spoke in favor of the bill.

Bill failed to pass second reading.

Bill to establish a ferry across Toe river, in Mitchell and Yancey counties. Passed third reading.

Bill to incorporate the town of Maiden in Catawba county. Passed second reading—yeas 34, nays none.

Bill to incorporate Mott's Camp Ground in Catawba county. Passed third reading.

Bill to prohibit liquor in three miles of Burnsville, in Yancey county. Passed its third reading.

Bill to amend the law changing the title of an incorporation, striking out "Gold Mining" and inserting the word "Investment." Passed its third reading.

Bill supplemental to an act to incorporate the Newton Cotton Mills, in Catawba. Passed its third reading.

Bill to authorize the payment of school orders in Swain county. Passed its third reading.

Bill to incorporate Enochsville, in Rowan county. Passed its third reading.

Bill to provide for the erection of an iron fence around the Caswell monument at Kinston.

Mr. Loftin explained that the \$500 appropriated by the last session for the monument the people of Kinston were satisfied was not enough for a monument to so great a man, and so with a "Caswell fund" they raised among themselves over six hundred more dollars. It was a great State's day, the unveiling of the monument; Vance made a speech, &c.; he with others loaned the association \$175, rather than see the occasion fail. He had presented this claim before the committee and they had refused to honor it; he wanted this \$175 returned and \$325 more, so as for the whole to go to putting an iron fence around the monument.

Mr. Boykin supported the bill and hoped it would pass.

Mr. Webb, as chairman of the finance committee, thought the five hundred dollars given by the State was enough.

Mr. Caho hoped the bill would pass.

Bill passed its third reading.

Mr. Linney's bill to amend chapter 94, laws of 1881, so as to allow a vote in north Irédell for a stock law, passed its third reading.

Mr. Morrison, bill concerning magistrates.

Bill to equalize the school fund of Ruthersford county, passed its third reading. [The committee had reported against it.]

Bill to establish graded schools in Tarboro township, in Edgecombe.

Mr. Gray offered an amendment that in all cases where the father of any child shall be white the taxes shall go to the colored school, and when such father have children of both colors the tax shall be divided between the white and colored schools pro rata in proportion to the number of each. He asked the ayes and noes.

The Senate refused. The amendment was voted down and the bill passed second reading—ayes 32, nays 1.

Bill to amend chapter 165, laws 1877, passed third reading.

Bill to amend the law preventing live stock from running at large in the counties of Green and Lenoir, passed third reading.

Bill to amend the laws relating to Richmond College, in the town of Rockingham, passed third reading.

Senate went into executive session at 11:50 p. m.

NIGHT SESSION.

The following bills passed their third reading: Incorporating Mt. St. Joseph Academy; incorporating the town of Franklin; allowing Greene and Lenoir to vote on the stock law; to prevent unsuccessful contestants for seats in the Legislature from receiving per diem and mileage.

Bill in regard to the county of Vance, to allow the people to vote on the question of abolishing the county, came up, and caused a long debate. Speeches were made by Messrs. Jones, Cozart, Loftin, Caho, Evans and Pemberton. A vote being taken, the bill was tabled, yeas 24, nays 16.

Bill extending aid for the drainage of swamp lands in Duplin and Bladen caused much discussion.

An amendment that bill not go into effect unless the title of the Board of Education to 44,000 acres of land is undisputed, was adopted. The bill passed second reading, yeas 32, nays 7, and then passed third reading.

Bill to allow Wake to vote on the stock law was taken up. An amendment, including Caswell, was adopted. The bill passed second reading, yeas 26, nays 11, and then passed third reading.

HOUSE OF REPRESENTATIVES.

House met at 10 a. m. Prayer by Rev. Dr. Atkinson.

PETITIONS.

Mr. Reid, from citizens of Gaston county in regard to fish law.

Mr. Poe, from citizens of Dan River township, in Caswell county, asking the appointment of a justice of the peace.

Mr. Phillips, from citizens of Yadkin township, Stokes county, asking appointment of justice of the peace.

By same, from citizens of Stokes and Surry in regard to prohibition.

Mr. Poe, from citizens of Pelham township, Caswell county, asking appointment of certain justices.

Mr. Bridgers, from citizens of township No. 10, Edgecombe county, asking for appointment of certain magistrates.

Mr. Simmons, to establish a graded school in Washington, N. C.

Mr. Holt, to amend section 1, chapter 91, laws of 1879.

Mr. Williamson, to protect owners of stock killed by railroad companies in North Carolina.

Mr. Bennett, to amend section 3, chapter 193, laws of 1879.

Mr. Simmons, by request, to prevent live stock from running at large in Caswell county.

By same, to give twelve days for working the public roads of Beaufort county.

Mr. Worthington, to amend section 19, chapter 200, laws of 1881.

Mr. McAllister, to authorize the town of Concord to issue bonds.

Mr. Green, of New Hanover, to amend the law prescribing the duties of coroners.

RAILROAD COMMISSION.

The bill to create a railroad commission was taken up,

The substitute offered by Mr. Tate being

announced, to which Mr. Hayes, of Lenoir, offered an amendment.

Mr. Powers, of Cleveland, offered one to strike out any member of the General Assembly.

Mr. Powers, of Cumberland, opposed this; hoped it would be voted down.

Mr. Bailey, of Wakeburg, favored the amendment. It was very proper, and should pass.

Mr. Sutton wanted to know why members of this Assembly were disqualified from holding positions on the commission if they should be elected thereto. Did not think a man here had committed a crime, and if he had done so, had not been caught.

Mr. Rose opposed the amendment; had no friends he wished to place upon the board. The adoption of this amendment of the gentleman from Swain would be a stigma upon this Assembly. It was also unconstitutional. How can this Legislature say that members of this Assembly cannot hold positions of commissioner of railroads? Any man entitled to vote can hold office. Gov. Vance was holding the office of Governor when he was elected to the Senate of the United States.

Mr. Power, of Cumberland—Has not this body a right to say who shall sit upon this commission?

Mr. Rose—No, sir; this Assembly cannot disqualify any member from holding office.

Mr. Hayes, of Swain, would not withdraw his amendment; had made no thrust at this Legislature; had acted without any bias; was not for creating office for themselves; came here to work for the interest of the people.

Mr. McLoud—This was a proper amendment; constitution or no constitution we ought not to legislate in such a manner as would create suspicion. He referred to the damaging scenes of two years ago upon the judgeship matter. Through a decent respect for themselves the amendment should be adopted.

Mr. Harris, of Wake, opposed the amendment; was not willing to say that the 170 members of this Legislature had so demeaned themselves as to disqualify them from taking a place on this commission.

After the gentleman from Cleveland offered his amendment Mr. Forbis rose and said that he did not wish to cut off debate or throttle any discussion that would throw light on the subject under consideration, but fearing that the numerous amendments that were being offered would defeat the whole matter, and the General Assembly would adjourn without passing a Railroad Commission bill, he rose for the purpose of calling the previous question. Before calling the previous question he said that as an humble member of the House he for

one was very anxious to pass a commission bill, and that he stood on the floor to sound the alarm against the bill offered as a substitute by the gentleman from Burke to the bill which he had the honor to introduce. He said the substitute had been shot in on the spur of the moment, and that it would not be satisfactory to the people or accomplish the purpose for which it was created, and he for one would vote against the substitute, for it did not give the commission sufficient power to protect the people. The substitute was a railroad bill or at least it would favor the railroads and be more oppressive on the people than the railroads without any commission were. He said he hoped the substitute with all its amendments would be voted down, and that the bill introduced by himself contained the idea of the minority report of the joint committee, and was the fruit of two months deliberation of that committee on all the bills that had been introduced in both Houses before them. He hoped that the bill introduced by himself would pass, and he called the previous question.

The vote was taken upon the amendment of Mr. Powers, which was lost.

Mr. Hayes' amendment, that no person who owns an interest in any railroad, or any one that is an attorney for any railroad corporation, or any member of the Legislature, shall be eligible for the office, was then put to a vote and failed to pass.

The question was next upon the amendment of Mr. Hayes, of Robeson, that the commission shall not be composed wholly of one political party. The vote was taken and it failed to pass.

While the bill was under discussion, the hour for the special order was announced.

THE CODE.

The revision and consolidation of the general laws of N. C., known as the Code, was taken up on its third reading.

The chapter in the Code relating to county government, brought on considerable debate.

Mr. Hayes of Robeson, moved to strike out all of that portion of chapter 28 relating to the election of county commissioners by the justices of the peace, being section 1,094. Rejected. Ayes 47, nays 68. Bill then passed third reading, ayes 70, nays 44.

On the passage of the Code, Mr. Bullock said: "In explaining my vote I wish to say that I regard the passage of this bill to codify the laws of our State of great importance to all of our people. I cannot afford to retard such legislation—although I am opposed to the present system of county government and the stock laws as set forth in this bill and with this reservation I vote for the bill."

PUBLIC SCHOOL LAWS.

Second special order, bill to revise and consolidate the public school laws.

Upon the consideration of this bill, the House went into committee of the whole, Mr. Worthington in the chair, and the bill was read by sections.

Mr. McAlister moved to amend section 4, line 3, by striking out the word "shall" and insert "may"; also in line 12 strike out "shall" and insert "may"; and at end of section add "or may abolish the office in that county."

By Mr. Bower, strike out in section 47 the word "three" in line 3, and insert "two"; also amend said section by striking out the proviso and insert "Provided, that his salary shall not exceed \$100 per annum."

Mr. Glenn, add to section 4, "Provided, when a vacancy occurs in office of county superintendent the school committee of the district shall be empowered to employ and dismiss teachers during the vacancy, determine their pay subject to approval of the county board of education; treasurer of the county to pay teacher so employed upon presentation of his certificate properly approved."

Mr. Page, to strike out all of section 4 after the figures 19, in line one of said section.

The debate on these amendments occupied the House until the hour of adjournment.

SENATE.

NIGHT SESSION.

THURSDAY, March 1.

Bill to incorporate the Trustees of Mt. St. Joseph Academy. Passed its third reading.

The engrossed House amendments to the bill for the better protection of landlords were concurred in.

Bill to incorporate the town of Franklin. Passed its third reading.

Bill to amend section 1, chapter 24, laws 1881. Passed its third reading.

Bill to amend the law relating to the churches in Hyde county. Passed its third reading.

Bill supplemental to an act to prevent the running at large of live stock in Greene and Lenoir, passed its third reading, a portion of Wayne being included.

Bill to prevent unsuccessful contestants before the Legislature from receiving mileage and per diem. Passed its third reading.

Bill to repeal laws regarding the new county of Vance, leaving it to the vote of the people in August to abolish the county or not, as they choose, came up.

Messrs. Cozart, Loftin, Jones and Cahoon spoke.

A motion was made to table.

The vote stood: Yeas 24, nays 16. So the motion to table prevailed.

Mr. Purnell, bill to be entitled an act to provide for the payment of a judgment against the State in favor of M. Clement.

Bill to aid in the drainage of swamp lands in Duplin and Pender counties.

Mr. Hill spoke in support of the bill.

Mr. Boykin also supported the bill.

Mr. Pemberton said the committee on education had had this bill under consideration for several weeks.

Mr. Strayhorn said the committee was willing to allow the use of convict labor on this work, but money was asked, so the committee decided to report the bill without prejudice.

Mr. Hill supported the bill.

Mr. Loftin spoke in support of the bill.

Mr. Dortch favored the bill.

Mr. Pemberton opposed the measure.

Mr. Cahoon spoke earnestly in support of the bill.

Mr. Costner sent forward an amendment that this act shall not go into effect unless the State Board of Education shall ascertain that the State has an absolute and undisputed title to 44,000 acres of land lying in the district of country referred to in this act.

The amendment was accepted.

Mr. Ramsay said he was afraid of this bill.

The previous question was called and the yeas and nays ordered. The vote stood—yeas 32, nays 7; so the bill passed second reading, and then passed third reading.

Bill to allow certain persons in Wake county to have the stock law if they complied with certain provisions, was taken up.

Mr. Loftin opposed the bill.

Mr. Purnell also opposed it.

Mr. Evans offered an amendment that the bill apply to the county of Caswell.

Mr. Loftin offered an amendment, first leaving it to the vote of the people.

The previous question was ordered.

The yeas and nays were ordered on Mr. Evans' amendment—yeas 24, nays 3; so the amendment was adopted.

Mr. Loftin's amendment was defeated.

The yeas and nays were called on the second reading of the bill. The vote stood—yeas 26, nays 11; so the bill passed second reading and then passed third reading.

HOUSE OF REPRESENTATIVES.

EVENING SESSION.

THURSDAY, Mar. 1.

House met at 7 o'clock.

The rules were suspended and the act to raise revenue taken up.

The House went into committee of the whole (Mr. Glenn in the chair) and proceeded to the consideration of this bill by sections.

AMENDMENTS.

By Mr. Anderson, to strike out lines 7, 8, 9 and 10 and insert "which shall be accounted for to the treasurer and inure to the benefit of the educational fund." Lost.

Mr. Robins, after "manufacturing," in section 25, line 32, insert, "or any person selling spirituous liquors in quantities of a quart or more, manufactured from his farm." Lost.

Mr. Robins, to amend sec 34, after "manufacture" in line 25 insert "or any person selling spirituous liquors in quantities of a quart or more manufactured from his own farm." Lost.

Mr. Sherrill, an amendment to section 47. After the words "one dollar" in first line strike out the remainder of the sentence. Adopted.

Mr. Tate, that the blank in section two be filled with the figures "84." Adopted. The bill as a whole was adopted; the committee rose and recommended the adoption of the bill with amendments. The bill passed second reading.

Act to change the charter of the town of Edenton was introduced and put upon the calendar.

Bill to incorporate the town of Smithfield, in Johnson county.

Pending the reading of this the House adjourned.

[NOTE.—Mr. Reade, of Person, in explaining his vote on county government in the Code, said that he was very much in favor of the people electing all of their officers, but the Legislature had refused to allow them to do so, and he would not hinder the passage of the Code by encouraging any amendment.]

SENATE.

FIFTY-FIRST DAY.

FRIDAY, March 2.

The Senate was called to order at 10 o'clock.

PETITIONS.

Mr. Webb, from citizens and merchants of Shelby, Cleveland county, asking that the merchants' tax be repealed.

Mr. Carter, of certain citizens of the cut-off portion in Vance, protesting against dismemberment.

Mr. Farmer, from citizens of Vance county, against any change of county.

Mr. Graham, of citizens of Montgomery county, asking a ferry on the Great Pee Dee.

BILLS.

Mr. Lovill, to amend section 1,984 of the Code.

Mr. Graham, to establish a ferry on Great Pee Dee. (By request.)

Mr. Clarke, to amend chapter 54, laws of 1873-74.

Mr. Parnell, to relieve the tax-payers of Wake county.

Mr. Black, to amend various acts incorporating the town of Rockingham, Richmond county.

Bill prohibiting discrimination among insurance companies passed second reading; ayes 34, nays none.

Bill to amend the charter of the town of Asheville passed second reading.

W. N. C. RAILROAD.

Bill to provide for the sale of the State's interest in the Western North Carolina Railroad Company, and for other purposes, at 10:30 came up as special order.

The chair announced that the question would be on the adoption of the minority report.

Mr. Jones inquired if it would be regarded as an amendment or a substitute to the majority report, and asked what would be the effect if the minority report was adopted. Would it have the effect to destroy the majority report?

The chair thought the adoption of the minority report would, to a certain extent, destroy the majority report, still the amendments of the majority could be acted on as to the minority.

Mr. Watson enquired, as both reports favored the passage of the bill, and both reports had amendments, which report should be considered first.

The chair stated it was almost the universal practice with parliamentary bodies to consider the minority report first.

Mr. Womack said if he was not mistaken it had been the practice of the chair to consider the amendments of the majority reports first.

The chair replied that only had been the case where each branch of the committee had not brought forward an independent bill. He appealed to the Senator from Wayne for his experience as to the matter.

Mr. Dortch said he thought the minority report should be considered as an amendment to the majority report.

The chair asked the Senator from Wayne what would be the effect if the minority report was adopted as an amendment to the majority report.

Mr. Dortch replied that it would displace the majority report as a matter of course. (There was other like discussion as to the precedence of the reports, Mr. Pinnix holding the minority report should be first considered.)

Mr. Morehead thought there should be no difficulty; the majority report suggested several amendments, the minority only suggested one, and both reports concurred in striking out section 9. He thought the several amendments should be considered first.

The chair said when the question of par-

liamentary law was presented to the chair it was the chair's duty to hold according to all usages of such law. He would leave to the Senate to consider these amendments separately or as the Senate might prefer.

Mr. Watson moved to take up the amendments seriatim. Carried.

The first section of the majority report was read.

Mr. Jones said this was a matter in which his people were greatly interested, and it was an issue in his canvass whether this contract should be changed, and the people said they would vote for no man who would favor such a change, and he had a letter in his desk this morning from a gentleman of his section saying that as far as he could see the sentiment of the people had undergone no change. He described the fertility of the counties of Haywood, Cherokee, Macon, Jackson and Clay, which if opened up and developed by the completion of this road would show a wealth of resources that could not be surpassed by the balance of the State; the fertility of that land was 100 per cent. more than in the county of Wake. He referred to the bad management and the debt of the road that caused it to be sold, the terms of the contract, &c., and held that if the State, through the Treasurer, advanced money on the road it gave the State a lien on it. He then took up the Best contract and Best's sale and transfer of the road to the present syndicate; that the Best contract gave all to Best; it provided that the first mortgage bonds shall be a lien, and that the State shall pay the expense of building the road to Paint Rock, not to exceed \$850,000, when they get to Murphy. He referred to the seventeen hundred thousand dollars the syndicate said they had spent on the road, and asked relief, and as their counsel said in the committee-meeting, in the other House, this Legislature ought to grant it; because, as one of his reasons, that the road had given the Democratic party great help in the late election. Mr. Jones said he was for taking the road out of politics, and for that reason had very heartily voted for the bill against free passes which had passed the Senate. And now in return for the aid the west had given to the east last night, in voting the ten thousand dollars for draining her swamp lands; all he asked was not a dollar of them from the Treasury; but all he asked them was to keep their hands off this contract; let it alone; and let this road be worked out. Mr. Jones then styled the clause of promise "the little sop" in the bill, which states that after building the road to Maryville and Clayton the syndicate will put on fifty convicts and finish the road to the town of Murphy. He said as to the guarantees of the bill, that no man of ordinary business sense would engage in any such transaction as that.

As to their saying if they didn't get relief that they'd never drive another spike, and would go into a court of equity over the road, and stay there ten years, we said do it if you dare, it only shows the bad faith you entered into this contract, and only shows you never meant to build the railroad to the town of Murphy from the start. Mr. Jones said even if they forfeited the road to the State the State would take it at a value of six millions, less the seventeen hundred thousand dollars, and can we go home and tell our people that we have sold out this road for six hundred thousand dollars; why we could mortgage the road for seventeen hundred thousand, and have a margin saved to the State of four millions three hundred thousand dollars. He said he had a letter from Mr. Johnston, a lawyer in Asheville, who said that the people there were a unit for this contract being carried out, and also from Solicitor Ferguson. He begged pardon of the Senate for the tediousness of his argument; that he had discharged, in his humble manner, a duty to his people, a people above all others to whom he owed most, and whom he loved most to serve. That they were a great and patriotic people, loving North Carolina, and willing to develop all parts of the State. All they asked was to be let alone.

Mr. Poole said we were called upon by the railroads to give them relief only because the syndicate could not get it themselves on the securities they offered. It was the intention of the Eastern people to encourage these gentlemen in their laudable enterprises. He was sorry to hear the gentleman from Henderson seeking to give a political turn to this matter; they had been on the same committee and had sought every honorable means to find out what was right to be done. He had never heard in the committee room, on the streets or elsewhere any political reasons given for granting this relief.

Mr. Jones said the counsel for the syndicate had stated in the committee room that leading Democrats in the State had gotten on their knees and asked help from the road.

Mr. Poole said he must confess that he didn't hear that. He then answered the Senator from Henderson as to what he had said of the bullying of the syndicate, saying he had never seen any signs of bullying, and had never been approached or even had a word hinted to him on the subject from any railroad man or any one of the syndicate. The Senator from Henderson had said that other roads would be glad to get this railroad—yes, the East Tennessee Road, he would say to the Senator from Henderson, would be very glad indeed to get this road, and he would say for the very reason that the Senator from

Henderson was opposed to this bill that he himself favored it; he was opposed to the East Tennessee road's getting it, and he imagined that the people in the Senator from Henderson's own county, from one end of it to the other, would be opposed as North Carolinians to the East Tennessee owning the Western North Carolina Railroad. The Senator from Henderson had also referred to the weak and helpless condition of the syndicate who were now asking relief, and yet the Senator from Henderson instead of granting them any relief was even for making it harder upon them than was the original contract. He spoke of the good this syndicate had done the State, of the coal they were now bringing to us, and yet how can gentlemen stand here and call them enemies to the State—he did not believe it, the people of North Carolina would not believe it. We ought to give this relief because it is just and right; it would enable the syndicate to carry out their contract, which would do more good in developing the rich resources of that mountain country than all the railroads you could build to Murphy from now until Gabriel blows his horn. And when they come to us as sensible men, and not as bullies, as said by the Senator from Henderson, and, in a square straightforward way showed us that after completing the road to Murphy it would be of no value to them, he believed this Senate should heed them, and the Senate would remember that Murphy was not to be left out, fifty convicts were to be put on, and the road to be finished there. He said the very purpose for which the syndicate asked relief was defeated in the majority report; it gave them the privileges sought by tying their thongs the tighter. The people were tired out of State's interests in railroads, and not willing for their representatives to pass such a measure as would throw back on their hands this elephant, as it were, but he believed that to a man they were willing to grant this relief.

The Senator from Henderson would have it implied that he was standing here fighting against the interests of the people of North Carolina, but he would say to him that he was standing here, sir, fighting for the interests of the Senator from Henderson's own country. He referred to letters from the west here, calling on their representatives to stand by this relief and that the people of the west would stand by them.

PERSONAL PRIVILEGE.

Mr. Hill rose to a question of privilege in reply to a card from Dr. Grissom in this morning's News and Observer. The information he had referred to was from a very reliable source, and he merely asked if the committee could inform him if there was just foundation for such. In consequence of a bill that has been introduced

in the other house, corroborating the reports, he thought he ought to make this inquiry. Cannot the acts of a public officer of North Carolina be criticized by a member of the Legislature? He made no reflections upon the board of directors. He had no information from Mr. Stanford, his colleague, as to the correctness of the account, vouchers, &c., or he would not have asked the questions. Cannot an humble member of the Legislature inquire of the management of the public institutions of the State without its chief officer attacking him through the public prints and telling him what "functions his constituents delegated to him?"

Adjourned.

[NOTE.—Mr. Toon desires to say that in his remarks Monday night on the bill against free passes he did not mean to reflect in the least upon the Senator from Wayne; his remarks were entirely upon the bill.]

HOUSE OF REPRESENTATIVES.

FRIDAY, March 2.

The House met at 10 o'clock, Speaker Rose in the chair.

Mr. Robins rose to a question of personal privilege in regard to the card of Dr. Eugene Grissom in reference to the charges regarding the expenditures at the Insane Asylum at Raleigh.

[The reporter came in late and failed to get Mr. Robins' remarks.]

PETITIONS.

Mr. McAllister, from citizens of Cabarrus county, asking the appointment of a colored magistrate for said county.

BILLS AND RESOLUTIONS.

Mr. Sherrill, of Catawba, resolution to meet in the morning at 9:30, and to extend the evening sessions to 11 o'clock. Adopted.

Mr. Holt, in relation to mutual companies insuring manufactory property.

Mr. Bailey, of Wilson, asking a charge in the county line of Edgecombe; accompanied with a petition.

Mr. Person, of Wayne, to incorporate the town of Ruffin, in Wayne county.

The bill in relation to maimed soldiers was made special order for to-morrow at 11 o'clock.

On motion of Mr. McCloud, the resolution in regard to the payment of the expenses of the committee appointed to investigate the affairs of the Western North Carolina Insane Asylum was taken up and passed. Similar disposition made in regard to the expenses of committee on Eastern Insane Asylum, on motion of Mr. Stanford.

Special order, bill to create a railroad commission, was taken up. The question was upon the amendment of Mr. Bailey, providing for one commissioner, at a reduced salary, without clerk. Lost.

The amendment of Mr. Williamson, of

Columbus, was put and adopted, which was in relation to the salaries, striking out \$2,100 and inserting \$1,500.

Mr. Bailey, of Mecklenburg, offered another amendment, as follows:

Strike out section 11 and insert in lieu thereof:

Sec. 11. Said commissioner shall have power to establish and regulate the rates to be charged by the said railway companies for freights and the fare of passengers, from all and to all the different railway stations in this State, as well as from the several points of entrance into and exit from this State of said railways, and regulate the *pro rata* for the same, as between connecting railway lines, but shall only regulate the maximum of rates and shall not establish a higher rate for a relatively longer distance than he shall have adopted for a nearer point against the desire of the railroad company to be affected thereby. In no instance shall he fix an unreasonably high rate, and in fixing a rate to any point his judgment shall be solely guided and controlled by a proper regard for such sum as shall constitute a reasonable maximum rate to that point, without reference to the value for more distant points. This failed to pass.

All amendments having been acted upon, the substitute was read for the information of the house.

Mr. Robins called for the yeas and nays; the call was sustained, and the substitute failed to pass—yeas 13; nays 97.

Mr. Green, of Franklin, explained his vote; desired a railroad commission upon just and fair grounds. This substitute will not accomplish the end; there was no penalty provided; the salaries were too small; was opposed to having cheap men on it whose integrity can be reached by the purchasing power of gold.

Mr. Overman was at first in favor of the substitute, but upon reflection now favored the bill introduced by Mr. Forbis; would vote no.

The question then was upon the bill introduced by Mr. Forbis, which was read as amended and passed second reading by a vote of 65 to 50.

Mr. Bunn explained his vote; he was opposed to this bill, but was in favor of a railroad commission; should vote yea, hoping it would be properly perfected on its final reading.

Mr. Forbis. Some members determined to defeat any bill of this character; he would vote for this or any other that will protect the people.

Mr. Green, of Franklin, and Mr. Green, of New Hanover, would vote yea on this reading, hoping it would be properly amended on third reading.

Mr. Holt. Would do nothing to defeat a railroad commission—the people demanded

it. This bill does not meet their wants. Pass this bill, and farewell forever to building railroads in North Carolina. Would vote yea; would try to get it properly amended on third reading.

There were many other explanations, all of about the same purport.

PUBLIC SCHOOLS.

The special order, to revise and consolidate the public school laws, was considered, the House going into committee of the whole, Mr. Worthington in the chair.

The question being upon the amendment of Mr. Page, abolishing the office of county superintendent, he made extended remarks, and sustained his views by an able and well considered speech.

Mr. Holton said that the laws requiring the county superintendent to visit the schools ought to be repealed, and his duties limited to the examination of teachers, and thereby save to the school fund the large salary that is paid him to ride over the country. The people wanted immediate relief, and as the superintendent had invested right in his office for the term for which he was elected, our remedy would be to take away his duties. It makes no difference by what name we call it, so we save the money paid him.

Mr. Glenn said he would move to pass over that section until we could see what would be the action of the House in regard to cutting down the salary and authority of the superintendent. It was the useless expenditure of the school fund that the people complained of; we must have a head to the school system, either as superintendent or county examiner; he wished the pay cut down and only allow the superintendent to visit schools upon the written application of the committee of that district. There was no superintendent in his county, and he thought it would be best to leave it optional with county boards of education whether they elect a superintendent or not.

Mr. McCloud. The county superintendent is an essential man. There must be some head to this system; and to make it a success you have to get a man of talent, and he must be paid. This House has its Speaker to govern this body; corporations have their presidents; its success depends upon its manager; without such officer your school system is a failure.

Mr. Mitchell hoped the office would not be abolished. It is true it takes a good deal of money to pay them, and this was the reason of the opposition. That officer had been very efficient in counties of his section.

Mr. Wilcox asked if this Legislature had the right to abolish this office.

Mr. Green, of Franklin, in answer, said he did not think the Legislature had the right.

Mr. Harris, of Wake, opposed the amendment. In all States where education flour-

ishes they have this office. Every department has its head, to which we go for information. When we desire to be informed on agriculture we go to the farmers; when we want light on matters of education we should have a county superintendent to apply to. Our State Superintendent favored it. It was the system he was contending for. Did not like to see his State occupying a blank in the system of education as she was doing now.

Mr. Green, of Franklin: It is evident that the school system cannot exist without a head. It is absolutely necessary to have some one to examine teachers. The bill is so worded that it prevents wasteful use of funds by the county superintendent. If the office had been abused it was no reason why it should be abolished.

Mr. Leazer hoped that the discussion would stop and that the amendment would be voted on.

Mr. Glenn's amendment was then adopted. [We published this amendment in yesterday's paper.]

The question was now upon the amendment of Mr. Page, which was put and adopted.

Mr. Forbis moved a reconsideration.

Mr. Rose thought the action of the House abolishing this office was unfortunate. As had been well said by the gentleman from Buncombe, there must be a head to this system. He hoped the House would reconsider.

Mr. Robins was opposed to the office of county superintendent, but favored an examiner, to be paid a reasonable per diem while engaged in examinations.

Mr. Bryan, of Wilkes—When the House voted to abolish this office they represented the wishes of the great majority of the people of this State. He hoped the motion to reconsider would not prevail.

A rising vote was taken and the House concurred in the motion to reconsider.

The committee here rose, reported progress and asked for further time.

The bill relating to the fees of sheriffs was taken up, and discussed for a few minutes only, when the hour of adjournment was announced.

RAILROAD COMMISSION BILL.

The following is a synopsis of the provisions of Mr. Forbis' bill:

SECTION 1. Provides for the election of three competent persons as commissioners by the General Assembly, all of whom are not to belong to any one political party; to hold their office for two years; said commissioners are required to take an oath before entering upon the discharge of their duties that they are not, and that they will not be connected with any railroad, own any stock or interest therein, and that they have no interest in any railroad corporation or combination, either near or remote.

The commissioners have authority to elect a clerk, who shall devote his whole attention to the service of the commission.

SEC. 2. Provides that the principal office shall be in Raleigh, and the commission shall meet at least once a month. The commission shall be furnished with necessary postage, stationery, office furniture, &c.

SEC. 3. That by order any one of said commissioners may act, hear and determine any complaint of oppression or discrimination, but such determination shall not be final until reported to the commission and passed upon in session.

SEC. 4. That the commissioners shall have power to administer oaths and supervise all railroads in the State, investigate all accidents; and requires the railroad authorities to report immediately all accidents that happen on their roads.

SEC. 5. Provides for notice being given to any railroad before any proceeding is commenced against it.

SEC. 6. Provides for the compelling attendance of witnesses, production of books and papers, and prescribes the per diem and mileage of witnesses.

SEC. 7. Provides that the commission shall sit in the town where the principal office of the road against which they are proceeding shall be situated.

SEC. 8. Extends the provisions of this act to sleeping car companies, trustees and receivers of railroads, and gives the commission authority to have copies of papers sent to them in any part of the State.

SEC. 9. Allows the Attorney-General on notice from the commission to bring action against any road that violates any constitutional provision or any law of this State, or unjustly discriminates against person or persons, to forfeit its charter.

SEC. 10. Allows the commissioners to examine station houses, reception rooms, &c., and when they find them unsafe or inadequate to accommodate the traveling public to report to the Attorney-General, and if the road after notice from the commissioners refuses to make reasonable repairs, &c., to bring action to forfeit the charter of such road.

SEC. 11. Gives the commissioners the power; if they deem it necessary, to regulate freight and passenger rates, and says they "shall" make such rules and regulations as will prevent unjust discrimination.

SEC. 12. Provides for the advertising of the rates, &c., in all the principal towns and cities of the State, and makes it the duty of the commission and also requires the commissioners to keep a record of their proceedings in a book kept for that purpose, and to keep that open to the inspection of the public.

SEC. 13. Compels every railroad company to give all information desired by the commission as to its freight and passenger rates.

and to its general management and as to its contracts and agreements, that may protect the welfare of the people and corporations in the State.

SEC. 14. Makes all officers of railroads who fail to obey the process of the commission guilty of a misdemeanor.

SEC. 15. Prevents the commission from doing anything that will interfere with the legal rights of any railroad or from meddling with its liabilities for its own acts or those of its agents.

SEC. 16. Compels the commissioners to report biennially to the General Assembly their proceedings, with suggestions in regard to the railroad system of the State.

SEC. 17. Provides for the printing and distributing of five hundred copies of the proceedings of the commission.

SEC. 18. Provides that the salary of the commissioners and clerk shall be \$1,500 per year, paid out of the Treasury of the State.

SEC. 19. Prohibits the commissioners from communicating any information they receive from said roads in the course of their duty, and makes them guilty of a misdemeanor if they do so.

SEC. 20. Repeals all laws in conflict with the provisions of this act.

SEC. 21. This act shall be in force from and after its ratification.

[NOTE.—In the report of the proceedings, February 28th, Mr. Simmons was stated to have introduced a bill to amend and consolidate the acts incorporating the town of Lumberton. It was an error. The bill was taken from the calendar by request of Mr. Proctor.]

[Mr. Harris, of Davidson, on Thursday, in explaining his vote on the amendment of Mr. Powers to the amendment of Mr. Hayes, said: I am satisfied that the people demand of us to pass a railroad commission; therefore I feel that I am only serving my constituents in creating a commission for the benefit of the people, and not creating an office for ourselves; that the adoption of the amendment of the gentleman from Swain would be a stigma upon the Assembly; therefore, I vote aye.]

SENATE.

NIGHT SESSION.

March 2.

Senate met at 7:30.

The chair stated that at the request of the Senator from Caswell the bill to amend the charter of Durham would be put on its readings. Passed third reading—ayes 29, noes 0.

Bill to amend the contract of sale of the State's interest in the Western North Carolina Railroad came up as special order.

The question was on the first amendment of the committee.

Mr. Watson said it was his desire, as a

member of the committee, to submit to the Senate some reasons why the majority of the committee came to the conclusions it did, and that are embodied in the majority report. When this bill was brought before them they went to work, invited its friends before them, listened to all they said to give them light on the matter, and requested also the friends of the Best contract to make objections in the presence of the friends of the Clyde syndicate, which they did, and they had a joint discussion. He referred then to the sale of the road in 1875 for \$800,000, the Best contract, &c., stating that the contract was drawn by two of the ablest lawyers in North Carolina, and notwithstanding the Legislature offered to pay them they declined to receive any pay; knowing these honored gentlemen as he did he was not surprised at their refusing. It was a work of patriotism. He then came to the Clyde syndicate, how far it had built the road, &c. He was here to-night to say that the people of North Carolina were satisfied with the Best contract, and to let it stay as it was. We were asked to change that contract, and the report of the committee is a sort of compromise with amendments that do not materially alter that contract, and that secure the completion of the road. He did not feel authorized to cross a "t" or dot an "i" of the Best contract. It required the building of the road to Paint Rock by July, 1881, it has been built. It also required the building of the road to Murphy by January 1, 1884. It required the syndicate to issue mortgage bonds and put in the face of those bonds the condition of that contract, and that the mortgage should not be foreclosed until the road had been completed to Murphy, and if they did not complete it they should forfeit the road. Now that contract was safely guarded, and the people of North Carolina could say to the men whose brain and pen dictated that contract, "you were faithful to your duty." We should be as careful as public agents as we are as private agents. He asked how many discussed this question of changing the Best contract on the late canvass? None of us save those beyond the Ridge, and he was informed that the sentiment with that people then was that the Best contract should not be changed. Is the Governor of North Carolina in favor of our changing that contract? He took it for granted the Governor was not. He read the Governor's message. Nowhere had he recommended any changes of the Best contract as he has recommended other changes in his messages. On the contrary, the Governor says he sees no reason why the road cannot be finished within the stipulated time.

Mr. Linney. Mr. President, may I ask the gentleman if he would not rather criticize than compliment the Governor should

he send in a message here on a measure that we are now discussing.

Mr. Watson replied that the Governor had given his opinion in his message on other measures before this Legislature, and he himself considered it the Governor's duty so to do. Mr. Watson said he was willing to answer any questions from any Senator on the floor or from anyone in the lobby, and he did wish there was some other name for "that place" than the lobby. He then spoke of the Clyde syndicate as being his friends and gentlemen of the highest character. He referred to the Richmond & Danville's syndicate crushing out the North Carolina Midland Road that would have run from Danville to Mooresville developing the best section of North Carolina by buying out the Virginia Island, thereby putting up Richmond and Danville stock to fabulous figures; but now the syndicate were in a strait and came to us asking relief. He repeated that the bill which had passed the House gave no guarantees that the road would be built in any direction beyond the Nantahala. The forfeiture provided in regard to the extension to Murphy amounted as to the convict labor only to \$7,000, double that and say \$15,000. The syndicate would not care for that. There was no provision requiring the road to be extended to Marysville. The syndicate would not agree to put in the bill that they shall build to Marysville. They might go there if their interest demanded it, otherwise not. We were relinquishing our contract to have any road built and without any consideration. It was said that the payment of \$600,000 was a consideration. Not so. That was in payment of the company's own mortgage bonds, and less than the full amount, at that. He called attention to the fact that the bill gave no security for the protection of the State against its liability for interest on the Armfield bonds. That interest was \$59,500 a year, and the liability continued for seven years. As protection, the bill proposed to deposit the interest for only one year. The State's liability to pay over \$300,000 was not at all protected. How could Senators surrender without considering the protection which the State now has in this matter. It was said if we did not pass this bill the contract would be thrown up. Well, the property had cost millions to build it. The State would get it back nearly free from all incumbrance. The State could mortgage the property for three million of dollars and finish the work. The syndicate would, under their contract, be entitled to receive for moneys expended \$850,000, but never until the road was finished to Murphy. But the road would never get back into the hands of the State. The syndicate would never part with it. It was too valuable. There

is now pending a suit to take this road off their hands, and they have employed the ablest counsel to prevent it from being taken off their hands. Mr. Watson continued at some length, speaking until 9:20, noting as he viewed it the evil effects of passing the bill, and the safety secured to the State by holding on to the best contract. He said the Best contract would be cancelled under this bill when they reached the Nantahala river except as to the interest on the \$850,000 bonds. His opinion was that the Senate ought to let the whole matter lie upon the table.

Mr. Linney said he had listened with much interest to the Senator from Forsyth. He had given this matter much time, and bestowed upon it the best intelligence he had in order to form a proper conclusion, and he had arrived at one totally different from the gentleman from Forsyth.

Mr. Linney said he was one of the signers of the minority report. Referring to the Best contract, he said the people had not been consulted, and after the election they became clamorous for some relief in that direction. Nothing ever produced so much sensation as the "Red Cut" letter, and no measure had ever met more the approval of the whole people of North Carolina than the sale of the Western Road. He quoted Major Wilson's opinion of the Best contract, saying it would take five millions dollars at least by convict labor to build the road to Ducktown, and thirty years earnings of the Paint Rock branch in order to build it. He said North Carolina had \$20,000 of bonds on that road in the Treasury; they are not worth more than twenty cents in the dollar; now this proposition proposes to pay into the Treasury of North Carolina \$600,000 for these bonds, and to make them as good as gold, and this, too, by 1884. Under the gentleman's plan it would be until 1886 before anything could be realized on these bonds. Suppose this \$600,000 could have been put into the Treasury instead of the \$530,000 in bonds; a much better trade would have been made than is offered now, and the people would have jumped at it eagerly, for they were all eager to get rid of that road; in fact the road was at that time pretty much in the same fix as old man Partee's watch. He carried his old watch to the jeweler and asked him what it was worth. "My friend," said the jeweler, "do you carry it to the first public street corner and lay it on the sidewalk and let it stay there twenty-four hours, and if nobody comes along and picks it up, then do you get you a brand new quarter of a dollar and lay on its face, and try it there another twenty-four hours." (Laughter.) Even were the proposition to take the six hundred thousand dollars in money and run the risk of forever blighting the Senator

from Henderson's county by keeping the road from them; why, even then, he, for one, would say, "Give me the money;" but that was not the proposition; the bill proposed to carry the road through that Senator's county and complete it to Cherokee. This syndicate knows something of the value of a road; they have much property in roads; here's one (holding up the map) to the home of my friend from Forsyth, this syndicate built that road. He argued that the Senator from Henderson would be certain to get this road to his county, and showed when and where the fifty convicts would be put to work. He said, in answer to questions put him from the floor, that he considered both the majority and minority reports would alter somewhat the Best contract, but that the minority report would be of least danger to the interests of the State in its adoption. He was a little amused at the Senator from Forsyth when he read the section to show that there was no security for the interest on the \$850,000 bonds, when the Best contract has now a deposit of \$30,000 here in the Citizens' National Bank, and when this bill itself requires a deposit of \$30,000 from the syndicate in four per cent. bonds of the State. He twitted the Senator from Forsyth with inconsistency in giving all from the State without any restrictions at all, to the Cape Fear and Yadkin road, that would pass through his own country, while now with the Western road that was going to the homes of other people he was for throwing all sorts of restrictions around the syndicate who were building it. Not one word had been said of the right to regulate the freights and fares of the Cape Fear road, and it was an older charter, too, than the Western North Carolina, yet on this bill the majority report would attempt to alter every charter in the State operated by the Richmond and Danville road, and require as a condition precedent to any relief that the charters cannot be altered without the consent of stockholders in the corporation, thereby demanding of them an impossibility.

Adjourned.

[NOTE.—Mr. Goodwyn wished his position on the Roanoke Navigation bill more explicitly stated. He was in favor of giving the company all the water power it wished, provided it worked no injury to others.]

[Mr. Evans, in recording his vote against the free pass bill, styled it an abuncombe farce. The reporter wrote it public farce.]

HOUSE OF REPRESENTATIVES.

NIGHT SESSION.

FRIDAY, March 2, 1883.

To establish a graded school in Lumber-

ton, Robeson county, passed third reading.

To ascertain and liquidate the debt of Bladen county, passed third reading.

To provide for local assessments in aid of public schools, passed third reading.

To provide for the alternate keeping up of the roads in Forsyth county, passed third reading.

To incorporate the town of Caswell, in the county of Pender, passed third reading.

Act to incorporate the town of Garner's Station, Wake county, passed third reading.

Relating to the graded schools in the county of Guilford, passed third reading.

To authorize the board of commissioners of Person county to subscribe to the capital stock of the Roxboro Railroad, passed third reading.

To incorporate the town of Smithfield, in Johnston county, passed third reading.

To incorporate the village of Leonsburg, Hyde county, passed third reading.

To change the corporate limits of the town of Jacksonville, Onslow county, passed third reading.

To incorporate the town of Harrellsville, Hertford county, passed third reading.

To empower and authorize the commissioners of Rockingham county to levy a special tax, passed third reading.

For the improvement of the streets and sewers of Greensboro. Passed third reading.

To incorporate the town of Fayetteville. Tabled.

To prohibit the sale of liquor within certain places in Haywood county. Passed third reading.

To establish a criminal court in the county of Mecklenburg. Passed second reading.

To incorporate the Carolina Warehouse and Compress Company. Passed third reading.

To establish a public highway through public lands between Hatchfork and A. J. Murrill's, in Onslow county.

Mr. Robins thought private bills were to be considered to-night, but this was of a public nature; he would have to oppose; would call for the yeas and nays.

Mr. Glenn explained the action of the committee, who had it referred to them.

Mr. Thompson, of Onslow, explained the bill. It would open White Oak swamp, and give his people an outlet for their produce; some of them now having to go twenty-five or thirty miles to the court house. There is an abundance of timber that can be had on this road if opened; as it is now it is inaccessible. It would be the means of developing very valuable lands. But few private land-holders would be benefited. As to the convicts, they could not be obtained until their terms of labor on the public works had been finished.

Mr. Page, of Jones, and Mr. Green, of

New Hanover, spoke in favor of the bill; it was a moderate request.

The call was not sustained, and the bill passed third reading.

To incorporate the Seaboard Manufacturing Company, passed third reading.

To alter the line between Caldwell and Wilkes counties.

Mr. Bower favored the passage of the bill and Mr. Bryan opposed it.

Mr. Lenoir said the people of Wilkes who asked to be attached to Caldwell had substantial reasons for so doing; it would bring them nearer to school facilities; complimented the gentleman from Wilkes on the zealous manner in which he represented his people; that it would deprive the noble old county of Wilkes of but little territory and he hoped the bill would pass.

To change the charter of the town of Edenton, passed third reading.

Mr. Sutton sent up a protest—no thirty days notice.

To allow commissioners of Swain county to build a court house, passed third reading.

For the relief of W. A. Estes, and other railroad tax collectors, passed third reading.

To incorporate Albemarle and Roanoke Railroad Company, passed third reading.

To incorporate the town of Pollocksville, in Jones county, passed third reading.

To repeal local prohibition, Pleasant Grove Church, Nash county, passed third reading.

To authorize board of commissioners of Warren county, to levy a special tax, passed second reading.

To establish a graded school in Washington, passed second reading.

House adjourned.

SENATE.

FIFTY-SECOND DAY.

SATURDAY, March 3, 1883.

The Senate was called to order at 10 o'clock.

Prayer by Rev. Dr. Marshall.

PETITIONS.

Mr. Caho, of citizens of Craven, asking that proposition to tax to issue bonds be submitted to the people.

Mr. King, of Pitt, of citizens asking that retailing of liquors in two miles of Meadow church, in Greene county, be abolished.

Mr. Watson, of certain citizens of Forsyth, asking local prohibition in Lewisville.

Mr. Whitford, thirteen petitions, with 640 names, asking that the constitution be so amended that every voter shall be made to show a receipt for poll tax before he can vote. Mr. Whitford said to the reporter that two-thirds of the signers were colored men and from Craven, Jones, Carteret, Lenoir and Greene counties.

BILLS.

Mr. Ebbs, to prohibit sale and use of pis-

tols and other deadly weapons in Madison county; introduced by request.

Mr. Payne, to regulate elections.

Mr. Battle, to authorize the commissioners of Halifax to fund and pay the debt of same county. Also bill to aid the Ladies' Memorial Association of Raleigh.

Mr. Watson, supplemental to act amending the charter of the Granville Railroad Company.

Senate concurred in House amendments to Senate bill 577, House bill 852.

The Senate concurred in the House amendments to Mr. Dortch's local assessment law; also in the amendments to the graded school bill for Lumberton.

The Western North Carolina Railroad bill came up as the unfinished business of last night.

Mr. Payne made a lengthy and able argument in favor of the bill, giving six reasons for its passage. [His remarks, crowded out of this issue, will appear hereafter.]

Mr. Clarke took the floor against the bill. He read a good portion of his remarks. He referred to the great Zebulon V. Vance, that true, patriotic son of North Carolina, that great statesman who stands at the helm and always steers right. He characterized this bill as the most iniquitous measure that was ever perpetrated upon the free people of North Carolina.

Mr. Strayhorn—Mr. President, I would like to say to the gentleman, while he is praising Vance, that curses, like chickens, come home to roost sometimes. He would advise him not to praise Vance too much.

Mr. Clarke said if it had not been for the great Vance's fighting the Richmond & Danville Road as he had, the Western Road would not now be built. He said the speech of the Senator from Alexander in favor of the bill was perhaps the ablest and most adroit speech he had ever heard. He was for looking at this bill only in a business point of view, and then we should have done our full duty to the State. He earnestly hoped the Senate would adopt the majority report.

Mr. Loftin here moved that the bill for the election law be printed and made a special order for next Wednesday. He was here not to impede legislation, but he did say that a bill of this importance, of thirty pages, should be printed, and the minority given time to understand it, and not be introduced here in the last days of the session to be passed over the heads of the minority.

Mr. King, of Cherokee, sent forward amendments:

First, amend by striking out the word "fifty" in line 14, section 2, and inserting one hundred.

Also amend section 4 as follows: Strike out "fifty," in line 4, and insert in lieu thereof "one hundred," and insert between

the words "assignees" and "shall," in line 8, the words, "may withdraw from said road fifty of said convicts and place and work the same upon the Maryville or Rabun Gap branch but they," and strike out the words heretofore provided in ten, and also insert after the word assigns in line 24 in section 4, the words "whether in law or in fact."

Mr. King spoke in favor of the amendments. He described the rich mineral and iron resources of the county of Cherokee, and said that county could become wealthy like Pennsylvania, in a measure. He insisted on this amendment that the syndicate should incorporate some of its own wealth in that line in case they abandoned it. He had on sort of doubt of the completion of the road to Murphy if the convicts could be kept at work on the other lines. He was in favor of giving from the State whenever it was to the interest of the people. He was recently on a visit to Beaufort, and as he stood on the beach and gazed he could see where the giving of the State's interest to that canal would benefit the people, and this emotion struck him, "No pent-up Utica confines our powers; The boundless wealth of the commonwealth is ours."

And he came right back and voted to give the State's interest in the canal. He said he had the highest respect and friendship for ol. Buford and Col. Andrews; they were both gentlemen; he knew them well, and a personal promise from either one he confidently relied on to be fulfilled, but as he said to Col. Buford when in consultation with him and Col. Andrews on the subject, "Colonel, your promises are satisfactory, and I believe them, but you may not be here—individuals die while corporations live on and on," and the frank nature of the man was compelled to acknowledge he was right. He said nearly all the corundum in the United States came from the geological formation of that little poverty-stricken section which had been so characterized on this floor.

Mr. Costner spoke in favor of the minority report. [His speech was an excellent one, and will hereafter be published.]

r. Battle spoke in favor of the majority report.

r. Ebbs said in the bill as passed by the House of Representatives he had been unable to see thus far a single guarantee that would complete the Western road to the town of Murphy. And if any measure was to be adopted he hoped it would be the measure of the majority committee. He preferred the whole matter being tabled.

Mr. Webb said he had sat here from yesterday morning to this time listening to this discussion, and was pleased at such able arguments, and he was very glad when

he heard of the compromise in the House, and was much in hopes the bill would pass here as it did there. He really thought this syndicate entitled to the small relief it asked, and if he thought the syndicate not incere in the matter he would oppose the bill, for it was an important vote he was going to give, but as he considered the syndicate really entitled to relief, he should vote for the minority report.

Mr. Watson desired in reply to the Senator from Union, who he said had given the bill a political turn in having suggested the keeping of the road out of the power of William Mahone; if that be so, then he looked to see the Republicans in this chamber giving a solid support against the bill; we should see which way they voted.

The previous question then was called by Mr. Watson.

The first amendment of the majority committee was put.

The yeas and nays were called by Mr. Jones. Ordered.

The vote stood: Yeas 10, nays 38. So the amendment was not adopted.

The second amendment of the majority was put.

r. Jones asked for the yeas and nays. Ordered.

The vote stood? Yeas 9, nays 36. So the amendment was not adopted.

The third amendment was then put.

r. Clarke asked for the yeas and nays. Ordered.

The vote stood: Yeas 10, nays 36. So the amendment was not adopted.

The fourth amendment was put.

Mr. Clarke asked for the yeas and nays. Ordered.

The vote stood: Yeas 16, nays 28. So the amendment was not adopted.

The fifth amendment was then put.

r. Clarke asked for the yeas and nays. Ordered.

The vote stood: Yeas 17, nays 29. So the amendment was not adopted.

The sixth amendment was then put.

Mr. Watson asked for the yeas and nays.

r. Pinnix said it was understood that this was the same as the minority report amendment. Several Senators for the minority report said it was all right.

The yeas and nays were ordered. Yeas 40, nays 8. So the amendment was adopted.

Mr. Linney said inasmuch as the last amendment was the minority report he would suggest taking up any other amendments, as all the amendments of the majority report had been disposed of. Mr. King by unanimous consent withdrew his amendment and offered another, which he said was an amendment to the House bill and was acceptable to the syndicate. The chair suggested to the Senator from Chero-

ke to withhold the amendment for the bill on third reading.

The House bill with the single amendment as to the company carrying convicts then came up on second reading.

Mr. Watson asked the yeas and nays. Ordered. Yeas 39, nays 9, so the bill passed second reading.

Mr. Lovill objected to suspending the rules for a third reading.

The Senate voted it down.

Mr. King sent his amendment; amend by inserting the word seventy-five convicts wherever the word fifty occurs in the bill. In section 10, after the word Murphy, add and Raban Gap. In section 4, line 23, insert after word assignees the words "whether in law or in fact." Amendments adopted.

Mr. Watson sent an amendment to insert after the word "road," in line one, "and all lines of road operated in North Carolina by said assignees, or by any other corporation operated or controlled by them." Insert after the word "taxation," in line four, the words "and subject to Legislative regulation of freight charges and discriminations, and passenger tariff."

Mr. Watson asked for the yeas and nays. Ordered. Yeas 17, nays 26. So the amendment was not adopted.

The question was then on the bill on its third and final reading.

Mr. Richardson asked the yeas and nays. Ordered. Yeas 41, nays 7. So the bill passed its third reading, and was ordered returned to the House of Representatives for concurrence in the Senate amendments.

Mr. Strayhorn moved that the bill to change the election law for North Carolina be printed. Ordered.

Indefinite leave of absence was had for Senator from Pamlico on account of death in the family.

Adjourned.

HOUSE OF REPRESENTATIVES.

House met, Speaker Rose in the chair.

PETITIONS.

Mr. Dixon, from citizens of Speight Bridge township, Greene county, asking prohibition of the sale of spirituous liquors within three miles of Tabernacle church.

Mr. Lencir, from citizens of Watauga county, for the appointment of a justice of the peace.

Mr. Montgomery, from citizens of Warren county, asking for a law to appoint bonded weighers in warehouses, and to regulate charges in said warehouses.

Mr. Barrett, from citizens of Pitt county, asking prohibition of the sale of spirituous liquors near Timothy and Oak Grove churches.

Mr. Barrett, from citizens of Pitt, asking prohibition within three miles of Rose Hill church.

Mr. Candler, from citizens of Jackson county, for a new county.

Mr. Poe, from citizens of Yanceyville township, Cawell county, asking the appointment of certain magistrates.

RESOLUTIONS.

Mr. Sherrill, in regard to the sessions of the House.

Mr. Tate, authorizing the trustees of the public libraries to procure records touching the colonial history of this State.

Mr. Powers, of Cleveland, to re-carpet the floors of the Senate Chamber and House of Representatives.

BILLS.

Mr. Harris, of Davidson, by request, to amend the laws of 1869-70, relative to the appointment of trustees by the clerks of the Superior Court.

Mr. Femple, to amend chapter CCLX, laws of 1876-77.

The bill for the support of the penitentiary was taken up, and passed its second reading, with but little debate.

Mr. Myers offered to amend by making the appropriation \$65,000.

Mr. Bunn—to amend by making it \$70,000. Both amendments were voted down. [Bill allows \$75,000 for each year.]

Special order, bill to divide North Carolina into nine Congressional districts, came up.

Mr. Worthington stated that no other plan could be devised that would give more general satisfaction. It was the result of laborious consultations of the committees upon the passage of this bill.

Mr. Bledsoe asked for the yeas and nays. So ordered, and it passed its third reading by a vote of 62 to 40.

The next special order, the bill in regard to the fees of sheriffs, was amended, the question being upon the adoption of the amendment of Mr. Holton, striking out the clause allowing mileage.

Mr. Hayes, of Robeson, an amendment to strike out 5, in section 25, and insert 2 1-2. Adopted.

Mr. Person, an amendment allowing fifty cents for granting a license, and fifty cents to the register for recording. (Withdrawn.)

Mr. Bunn, to amend by adding at the end of section 25, "Provided, the process is served instant, and the distance actually traveled." Adopted.

Mr. Stanford, provided that the provisions of this section (25) shall not apply to proceedings to obtain dower, or for partition of real estate. Adopted.

There was considerable debate on each amendment, and after the House had been so engaged for a long time, Mr. Robins moved to lay upon the table, and on this asked for the yeas and nays.

Not sustained; the House refused to table.

The question then was upon the adoption of the amendment of Mr. Holton, as

amended, and the bill then passed its second reading.

The bill in relation to the fees of the clerks of the Superior Court was taken up, and after a few amendments was laid on the table, upon motion of Mr. Robins.

SPECIAL ORDER.

Resolution in favor of the soldiers maimed in the late war.

Mr. Stanford made an able speech in its favor.

Mr. McCotter said he was in full accord with the gentleman from Duplin.

Mr. Strudwick wished to know how much it would take out of the Treasury to make this appropriation.

Mr. Stanford—The Treasurer says \$75,000 will be sufficient.

Mr. Harris, of Davidson, moved to amend by giving \$100 to each widow who lost her husband and is still a widow.

Mr. Bridgers—To amend by providing that all colored soldier in the Federal army who were disabled in the late war be allowed an equal pro rata portion of the \$75,000. Lost.

At this stage of the debate Mr. McLoud made a very eloquent and affecting speech in support of the bill.

Mr. Holt, in reply to the gentleman from Pullico, who wanted each county to take care of its soldiers, said when the war began they did not volunteer as county soldiers, but as State troops, and that the State should extend this aid to them now.

Mr. Hayes, of Robeson, a Union soldier, spoke in favor of the bill, saying it was but just and right to come to the assistance of these gallant men who responded so nobly when their country called. It would give him the greatest pleasure to vote for this bill.

Mr. Forbis made an excellent speech in favor of the bill.

Mr. Sutton offered an amendment to add after the last section: "And all colored men who lost their limbs working on breast-works, and other works, while engaged in the late war of the Confederate States in the Confederate service."

Mr. Green, of Franklin, spoke in support of the amendment of Mr. Sutton.

Mr. Sherrill favored the amendment offered by Mr. Sutton and supported the bill.

Mr. Sutton's amendment was adopted.

The question was now upon an amendment of Mr. Tate, to insert "indigent" before the words "officers and privates," wherever they occur. Lost.

Upon a call of the roll, the bill passed its second reading by a vote of 81 to 21.

Mr. Strudwick hoped the bill would be perfected on its final reading.

Mr. Rose was in favor of the bill, but the amendments were totally inconsistent with it: it should be properly perfected.

After further discussion the bill was referred to the finance committee with request to report on Monday.

The bill to encourage and support the State Guard was taken up and discussed for a few minutes only, when the Speaker announced the hour of adjournment.

[NOTE.—We stated in yesterday's account of the debate on the question to abolish the office of county superintendent that Mr. Mitchell "hoped the office would not be abolished." We should have said it was Mr. McAlister who made these remarks.]

[When the bill to raise revenue was being discussed in the House, Mr. Chock, of Orange, said he was not here only as a dealer, but as a representative of his people, and also as a representative of the liquor dealers of the State. He had sent a copy of the bill to leading dealers in the State, and they were all pleased with the bill, and desired the bill passed without amendments. He had been a dealer for twelve years, and claimed to know what would satisfy the dealers, and at the same time it was just and right to the State and counties, and he hoped all amendments would be voted down.]

SENATE.

NIGHT SESSION.

SATURDAY, March 3, 1883.

Resolution of instruction to the Attorney General as to the Seaboard and Roanoke Railroad owning stock in the Carolina Central Railroad (joint resolution) was adopted.

Bill to prevent the sale of liquor in two miles of Malloy's Chapel, Richmond county, passed its third reading.

Bill to incorporate the Independent Order of Good Sons and Daughters of the East, passed its third reading.

Bill for the support of the penitentiary and convicts for the years 1883-84, passed its third reading.

Bill authorizing a special tax in Cabarrus to complete the road from the depot to the town of Concord, passed its third reading—yeas 30, nays 1.

Bill for the relief of the creditors of the former town of Fayetteville and for other purposes, passed its third reading—yeas 30, nays 1.

Bill to amend the charter of the town of Asheville passed third reading—yeas 27, nays 0.

Bill to amend the laws incorporating Rockingham, in Richmond county, passed second reading—yeas 29, nays 0.

Joint resolution, authorizing pay to W. H. Cowell, chairman, of the actual expenses of committee investigating Western Insane Asylum, passed third reading.

Bill to prohibit insurance companies authorized to do business in this State from discriminating in their charges against North Carolina policy-holders passed third

reading.

Bill to change the times of holding Superior Courts in Surry and Stokes, in the Seventh judicial district, passed third reading.

Bill to incorporate the town of Andrew, in Buncombe, passed third reading.

Bill to amend the charter of Winston, passed third reading.

Bill to incorporate the Cashie and Chowan Railroad and Lumber Company, passed third reading.

Bill for relief of the tax payers of Wake county, passed third reading.

Bill supplemental to and amendatory of bill to incorporate the Loftin Silver Lead Mining Company, passed third reading.

Bill relative to sale of liquor at Elizabethtown, passed third reading.

Bill to amend section 1984 of the Code," passed third reading.

Bill to incorporate the town of Maiden, in Catawba, passed third reading, yeas 27 nays 0.

Bill to establish graded schools in Tarboro township, in Edgecombe county, passed third reading, yeas 30, nays 0.

Bill to establish a public ferry on Great Pee Dee river, with amendment from Mr. Pemberton that the bill shall have no effect till a public road is laid off by the commissioners of Montgomery and Stanley, passed third reading.

Bill concerning the manufacture of brandy, in the county of Mitchell, passed its third reading.

Bill to amend the charter of the town of Troy, in Montgomery county, passed its third reading.

Bill to provide for paying jurors of the Superior Court per diem in cash passed its third reading.

Bill to amend chapter 102, laws of 1881, concerning fences, passed its third reading.

Bill to establish a graded road in Wilkes and Ashe counties passed its third reading.

Bill to prevent the felling of trees, &c., in Grant's creek, Rowan county, passed its third reading.

Bill to aid the Ladies' Memorial Association of Raleigh. Referred to the committee on finance.

Adjourned.

HOUSE OF REPRESENTATIVES.

NIGHT SESSION.

Saturday, March 3, 1883.

The following bills passed third reading:

To authorize the chairmen of the finance committee of the several counties of this State to administer oaths.

To enable the people of Cumberland county to establish a free bridge across the Cape Fear river.

To prohibit the sale of spiritous liquors within five miles of Peterson's church, Yancey county.

To incorporate Wesley Chapel church and camp ground, Catawba county.

To provide for ascertaining the outstanding indebtedness of the county of Franklin and to provide for the payment thereof.

Act to prohibit the sale of intoxicating liquors in certain localities in Madison Co.

Resolution in favor of C. H. Wiley.

In regard to receiving certain persons into the asylum for the deaf, dumb and the blind.

Under a suspension of the rules the bill for the support of the institutions for the deaf and dumb and the blind. [Appropriates \$36,000—\$5,000 for the improvement and repairs of both the asylums.]

Concerning the town of Middleburg, in the county of Vance.

To authorize the town of Statesville to re-bond its bonded debt, passed its third reading.

Amendatory of an act to repeal that portion of chapter 232, laws of 1879, that relates to towns and villages in Bertie county, passed its third reading.

To incorporate the Colored Orphan Home of Eastern North Carolina, passed its third reading.

To incorporate Mt. Vernon church, in the county of Mitchell, passed its third reading.

To incorporate the town of Princeville, Edgecombe county.

Mr. Bridgers spoke in favor of the bill. He hoped it would pass. "It will give better protection to the inhabitants of the town. If the persons affected do not desire incorporation they can vote against it, as the question will be submitted to the qualified voters. I have examined the petition sent up against this measure; they are respectable citizens. It is due to them to say this, but I hope the bill will pass."

To incorporate the town of Chadbourn, in Columbus county, passed its third reading.

To amend section 5, chapter 192, laws of 1876-77, relating to the government of the city of Wilmington, (requires a voter to give his block and number before he can vote), after considerable discussion, was made special order for Monday night.

To incorporate Palmer Island Club.

To charter Lightwood Creek Canal Company, passed its third reading.

To amend chapter 247, laws of 1881. Second reading.

To create a stock law in Jones and Pamlico counties.

Mr. Page, of Jones county, opposed this bill, and upon motion it was indefinitely postponed.

To repeal chapter 316, laws of 1881. Third reading.

To incorporate the Acme Manufacturing Company. Third reading.

To amend chapter 33, private laws of 1881. Third reading.

To incorporate the North Carolina Savings Bank. Third reading.

Act to establish graded schools in Lenoir, Caldwell county. Third reading.

To secure the better draining of Kildee Swamp, Sampson county. Third reading.

To establish a graded publish school at Magnolia, Duplin county, passed second reading.

To amend chapter 234, laws of 1881, passed third readings.

To empower E. R. Stamps, president of the board of directors of the penitentiary, to make deed passed third reading.

To establish a graded school in Shoe Heel, Robeson county, passed second reading.

To prevent felling of timber in certain streams in Yancey county passed third reading.

Relative to the county treasurer of Cleveland county passed third reading.

To establish a new township in Madison county passed third reading.

To enforce the better drainage of lands in Lenoir county passed third reading.

To amend charter of town of Shoe Heel passed third reading.

To authorize commissioners of Greene county to pay Mrs. E. Jenkins for teaching a public school.

To change name of Bruce township, in Guilford county, to Summerfield.

Act in reference to the public schools of Raleigh.

Adjourned.

SENATE.

FIFTY-THIRD DAY.

MONDAY, March 5.

SENATE.—The Senate was called to order at 10 o'clock.

Mr. Womack moved to have the journal reading dispensed with, but Mr. Strayhorn objected, and the journal was read.

At 10.30, that portion of the journal being read Mr. Strayhorn wished to hear, he moved to dispense with the further reading, and it was so done.

Mr. Whitford, several petitions from the citizens of Lenoir, Jones and Craven, asking for poll tax receipts to be shown in voting, the State constitution to be so amended.

Mr. Whitford, bill to amend section 1, article 6, of the constitution of North Carolina.

Mr. Whitford, resolution in relation to justices of the peace, that the joint committee shall report a separate list on Monday, March 5, and at 7.30 p. m. of that day the election be gone into. Also resolution to compensate the clerks on the committee of appointment of magistrates.

Mr. King, of Pitt, bill to amend the charter of the town of Bethel, in Pitt county.

Mr. Richardson, a bill to prohibit sale of liquor in one mile of Wilson's mill in Johnston county.

Mr. Loftin, petition from E. L. Hazleton and others, asking an amendment that the sale of liquor be prohibited in one and a half instead of three miles of Edwards' Chapel, in Lenoir county, of laws 1876-'77.

Bill to incorporate Rich Square in the county of Northampton, passed second reading, yeas 31, nays 0.

Bill to incorporate the town of Conover, in Catawba county, passed third reading, yeas 31, nays 0.

Bill to incorporate the town of Palmyra, in Halifax county, passed second reading, yeas 27, nays 0.

Bill to authorize the board of county commissioners of Person county, to levy a special tax for building a railroad from Roxboro, passed second reading, yeas 33, nays 0.

Bill to incorporate the town of Mcbane, in Alamance county, passed second reading, yeas 30, nays 0.

Bill to establish graded schools at Rocky Mount, in the counties of Nash and Edgecombe, passed second reading, yeas 27, nays 1.

Bill to regulate the repair of public bridges in the county of Onslow, passed its third reading.

Bill to authorize the commissioners to levy a special tax for building a bridge across Neuse river, near Kinston, passed its second reading—yeas 27, nays none.

Bill to authorize Vance county to levy a special tax for building a court house, passed its second reading—yeas 26, nays 3.

Bill to incorporate the town of Woodland, in Northampton county, passed its second reading—yeas 28, nays none.

Bill to incorporate the village of Leonsburg, in Hyde county, passed its second reading—yeas 30, nays none.

Mr. Womack, by consent, a bill to designate the places for comparing the polls for members elect of the several Congressional districts.

Bill to levy a special tax for the county of Rockingham, passed its second reading—yeas 30, nays 2.

Bill to incorporate the town of Harrelsville, in Hertford county, passed its second reading—yeas 33, nays none.

Bill to establish a graded school in Halifax township, in the county of Halifax, for the colored children, passed its second reading—yeas 31, nays none.

Bill to authorize the commissioners of Lenoir county to levy a special tax. Passed second reading—yeas 30; nays 1.

Bill to incorporate the town of Smithfield in Johnston county, passed second reading; yeas 32, nays none.

Bill for the improvement of the streets of

the city of Greensboro. passed second reading; ayes 31, nays 1.

Bill to incorporate the town of Pates in Robeson county, passed second reading; ayes 32, nays none.

Mr. Morehead, by consent, a bill to change the time of holding courts in the seventh judicial district, which was placed on its readings and passed the Senate.

Bill to designate the places for comparing the poll for member of Congress from the several Congressional districts was referred to a committee of conference composed of the Senator from Orange, the Senator from Chatham and the Senator from Nash.

Bill to prohibit the sale of liquors in one mile of Wilson's mill in Johnson county, passed third reading.

Mr. Strayhorn moved that the bill for elections be made special order for to-morrow at 12 o'clock.

Mr. Battle hoped it would not be made a special order.

Mr. Strayhorn's motion to make it a special order was put, and on it he got the ayes and noes—ayes 15, noes 17, so the motion did not prevail.

Mr. Morehead said he had already found one error and some discrepancies in the bill, so he voted to make it a special order.

The chair stated that under parliamentary procedure the bill is now before the Senate on its second reading on the Senator's own motion, by which the rules were suspended, and the bill came up.

Mr. Scott, of Rockingham, moved that the bill be put on the calendar. It went there.

Bill to incorporate the Salisbury Water Works Company, passed third reading.

Bill to incorporate the Central Institute for young ladies, near Littleton, in Warren county, passed third reading.

Bill to incorporate the Oxford Toll Bridge Company, passed third reading.

Bill to incorporate the Slaterville and Catawba Toll Bridge Company, passed third reading.

Bill to amend section 4, chapter 15, private laws of 1881, passed third reading.

Bill to amend chapter 58, private laws of 1879, passed its third reading.

Bill to alter the line between the counties of Caldwell and Wilkes passed its third reading.

Bill to prevent the obstruction of fish in Sandy Mush creek, in the counties of Buncombe and Madison. The substitute was adopted, and the bill passed its third reading.

Bill to authorize the commissioners of Halifax county to fund and pay the debt of said county.

Mr. Purnell said it looked like we were going back on what we had done; that precisely a like bill had been reconsidered and voted down here; he was informed

from Halifax that the tax-payers of that county were opposed to it, &c.

Mr. Battle said this was not that bill, it did not provide for the same amount, and he asked for certain papers to be read, which was done.

Mr. Goodwyn opposed the bill.

Various Senators indulged in a discussion.

The bill passed its second reading—ayes 22, nays 4.

Bill to make valid registering of deeds giving clerks of Inferior Courts power to order registering of deeds, &c., (Mr. Dortch's bill) passed third reading.

Mr. King, of Cherokee, resolution raising joint committee, three of Senate and three of House to prepare resolutions of sympathy on the death of Alex. S. Stephens, of Georgia, and directing keeper of the capitol to have flag at half mast during the day, adopted.

Bill to compensate servants of the various State departments, passed third reading.

Bill permitting Judge of Craven Superior Court to extend term from two to three weeks in certain cases, passed third reading.

Bill supplemental to bill to amend charter of Granville Railroad Company, striking out Caswell and inserting Surry, (Mr. Watson's bill) passed third reading.

Bill to drain the lowlands of Albert's Creek in Forsyth county, passed third reading.

Bill to drain the lowlands of Spurgeon's creek in Forsyth county, passed third reading.

Bill concerning duties of the mayor and board of alderman of Goldsboro, passed third reading.

Bill to amend chapter 225, laws 1881, relative to relief of former sheriff of Perquimans, passed third reading.

Mr. Poole moved to suspend the rules to take up the bill on elections.

Mr. Purnell rose to a point of order that the calendar had been placed in the hands of the chair.

Mr. Strayhorn said he did hope his Democratic friends on this floor would show sufficient fairness and consideration for the rights of the minority to give them time to consider this bill.

Mr. Poole said it was but some amendment of the old law, and that the purpose of the opposite side was to stave off the bill and kill it.

Mr. Strayhorn said the opposition had never shown a desire to obstruct legislation; he had refused to entertain any such idea this very morning, and he did hope it was not the intention of Democrats here under the gag-law to pass this measure over the heads of the minority.

Mr. Loftin considered this bill an infamous measure, and he considered it his duty as a State representative to protest

against a measure that would bring any party into disrepute; he protested against taking up this bill when he, for one, honestly and deliberately declared that he had not had time to investigate it; in his district were Democrats who would scorn to do wrong; and pass this bill now over their heads and he said to the Senate they would hear from it.

Mr. Strayhorn demanded the ayes and noes on the motion to suspend the rules. Ordered. Ayes 12, noes 19, so the Senate refused to suspend the rules.

Bill to require fire-proof apartments for the records of counties.

Bill for the commissioners of Madison county to open a public road, with amendments of the committee adopted, passed third reading.

Bill to regulate the trials of actions brought by servants against masters, passed third reading.

[NOTE.—Senator King, in his speech last Saturday to the bill for the sale of the State's interest in the Western North Carolina Railroad, did not say that the wealth of Pennsylvania was in a measure dependent on the mineral resources of Cherokee, but that a large portion of the wealth of that State was the result of its mineral products, brought about by penetrating such sections as Cherokee with railroads.

HOUSE OF REPRESENTATIVES.

MONDAY, March 5.

The House met at 10 o'clock, Mr. Worthington in the chair.

The reading of the journal was dispensed with.

RESOLUTIONS.

Mr. Overman, in favor of the principal and assistant doorkeepers.

BILLS.

Mr. Stanford, relating to powers of clerks of the Superior Courts.

Mr. Bailey, of Mecklenburg, to prohibit free passes on railroads to certain persons.

Mr. Johnson, of Johnston, to repeal so much of chapter 234, section 3, as applies to certain churches in Johnston county.

Mr. Liles, relating to the stock laws in Burnsville township, Anson county.

Under a suspension of the rules the bill authorizing the directors of the State penitentiary to furnish certain stone work to be used to erect a monument to the Confederate dead, at Goldsboro, N. C., was taken up and passed its third reading.

The revenue bill was taken from the calendar.

Mr. Bailey, of Mecklenburg, an amendment that in case the board of county commissioners shall refuse to grant such order they shall, upon request, cause to be put upon their minutes the facts as found by them in relation thereto, and failing or re-

fusing so to do shall be deemed guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court. Lost.

Mr. Abbott, to amend by adding at the end of section 37, "The fee of sheriff shall be fifty cents, and that of the register of deeds twenty-five cents." Adopted.

Mr. Robins, to amend section 52, strike out all after the word "four," in line 5, to the word "the," in line 8, of said section.

Also in line 9, of section 23, strike out "any surplus," and insert in place thereof "said money." Lost.

Mr. Bunn, to amend section 27, by adding in line 14, "Any merchant, dealer or agent, selling sewing machines otherwise than is provided in this section, shall pay a tax of ten dollars in each county on the machines of each manufacture sold by them." Lost.

Mr. Holton, to amend section 52, strike out all after the word "company," in line three, and insert, "The same shall be distributed among the several counties of the State for educational purposes, according to the number of children between the ages of six and twenty-one." Lost.

The amendments offered by Mr. Tate to strike out "84," in section 2, and insert "75."

To strike out 23 and insert 25 in section 4, and in section 26 after "shall be" insert "where the sales do not exceed 500,000 pounds and not exceeding 1,000,000 pounds," and after \$50 in line 3 insert "over 1,000,000 pounds, \$75. Every person or firm liable to tax under this section shall, within ten days after 1st of May and November in each year, deliver to the register of deeds a sworn statement of the total amount of sales for the preceding six months ending on 30th of April and 21st of October. The sheriff shall collect the tax without delay," were then adopted.

The bill then passed its final reading.

The special order bill for relief of disabled soldiers—was taken up and passed its final reading with an amendment attached that it was not to apply to those owning property above the value of \$1,000.

The bill to reorganize the Agricultural Department. The minority report was read.

Mr. Green, of Franklin, was opposed to it. The question of organizing a Department of Agriculture was a matter of great concern. The welfare of our people rested chiefly upon two great pillars—agriculture and education.

This bill proposes to tear up root and branch the organization of this bureau; he could see no reason for this. No murmurs had come to his ears.

The change providing for a director from each Congressional district met with his

approval. This was wise, prudent and well considered.

Thought the Governor of the State, the president of the University and president of the State Agricultural Society should be upon the board, the latter having peculiar opportunities to consult with farmers and ascertain their wants.

Mr. McCloud spoke in favor of the report. There was a demand for a reorganization. We wanted direct representation. Our cotton and tobacco interest and the great corn regions of Hyde should be represented on this board.

As a compliment to the Governor let him preside, he can get all the information that others have and lay it before this board. It was the unanimous opinion of this Assembly that Mr. Holt should be on this board.

Mr. Person, to amend by saying that the board so reconstructed shall elect its own members.

Mr. Person—There is nothing of more importance to me than the agricultural interests of this State; had no objection to any one. The farmers demand the change, and it is nothing but just to consider their wants. A change is essential to make the farmers feel they are properly represented.

Mr. Lenoir spoke against the minority report; thought the majority report made better provision for the successful management of this department. It proposes to retain the heads of the Agricultural Dept. and the president of the State Agricultural Society. These gentlemen were men of talent and experience. If these men are thrown out it will be considered a slur upon them, an act of injustice. They deserved the thanks and gratitude of the State.

Mr. Holt, an amendment—"That whenever any manufacturer shall have paid the license tax of \$500 their goods shall not be liable to any further tax, either by city or county. Adopted.

r. Leaser—To amend as follows: Any dealer in fertilizers who may have on hand a quantity not exceeding ten tons when the license for the year expires, shall not be prevented by the provisions of this act or any other act from selling the same without further taxes. Adopted.

r. Leazer, in opposing the minority report, urged caution. They should look well before changes are made. Who can say this department has not worked well? This department was nursed in its cradle by the few able men composing its board: faithful to their trusts—men of great integrity and honor—let them be retained. There was always complaint. If a change was made in two years from to-day you would hear some one say his county or his township had received no benefit.

Mr. Frazier was in favor of the minority report. A change was needed. Nothing could be done that would jeopardize this

great interest. There seemed to be no limit to this tenure of office.

The governor changed his office every four years.

r. Frazier, the dominant party would continue, which is the same thing. Gentlemen had said that the office was burdensome. We provided by this bill to relieve them.

r. Holt stated that he had already given his views on this subject so far as life-long members are concerned. According to the charter of the State agricultural society, its president is elected every twelve months. The Grange Master is elected every two years; the Governor every four years. The President of the University at the pleasure of the trustees. This argument amounts to simply nothing. Did not care which bill was passed. He was the only one here to defend their acts. Where does this complaint come from? What wrong had they done? Construe it as you may, unless some particular charge is made the public will regard it with suspicion. The Presidents of the State Agricultural Society have all been farmers. As for himself his office of president will expire next October when he expects to retire, and of course he will not be upon the board. The old board have discharged a debt of love for the past six years, the good results are beginning to be realized, and now it is proposed to decapitate them with no complaint filed. Hoped the report of the minority would not pass.

r. Barrett, made no reflection upon any one. Hoped the gentleman from Alamance would be one of the board; considered him a faithful officer. Thought the farmers should have a showing.

r. Forbis, would be glad to have the gentleman from Alamance on the board. There was no reason why the President of the University should compose one of the board. We should heed the public demands when we do not sacrifice principle.

Mr. Simmons said that as a fair and impartial juror he had not heard a single reason why the four gentlemen of the old board should be displaced. We can elect nine additional members. If they can't control the board it is their fault. If their interests conflict they would not vote them.

Mr. Barrett here explained why he signed the minority report. Understood that it would not displace the old board. Since it was to be done would not vote for it.

r. Williamson said: I would be far from casting a vote knowingly, that would in the least reflect on the present members, but I am in favor of selecting one member from each of the nine Congressional districts, headed by the Governor, and I am in favor of making my distinguished friend from Alamance president of said board in

1884. ex-officio, and I believe the voters of North Carolina will sustain me in it.

Mr. Robins: This was the most perfect specimen of great cry and little wool he ever saw. If there is any clamor against the board he never heard of it until he came to Raleigh. Everybody was satisfied in his county. It had accomplished good, he believed. The department should be maintained. For an idle clamor do you want to destroy its organization.

The amendments of Messrs. Holt and Leazer were put to a vote and lost.

The question was now upon the adoption of the minority report as amended. Lost—yeas 43, nays 45.

The majority report was read two times.

Mr. Tate moved to amend by adding another section: "That the Board of Agriculture be authorized and directed to set apart and appropriate annually, out of the money received from tax on fertilizers, the sum of \$500, for the benefit of the North Carolina Industrial Association, to be expended under the direction of the Board of Agriculture. Adopted.

The amendments that were adopted for the minority report were then withdrawn and made to apply to the majority report, when the bill passed third reading.

Adjourned.

W. N. C. R. R. BILL.

Speech of Senator Payne on the W. N. C. R. R. bill.

He had listened with interest to the able argument of Senator Watson and to the speech of Senator Jones, which was an exhaustive presentation of the facts why this measure should not pass with reference to his own section of the State, but we are here to legislate for the whole State, not for a section. The Senator then gave a history of the W. N. C. R. R.; its sale under mortgage and purchase by the State in 1875; the issue of \$850,000 of bonds with interest guaranteed by the State to pay off the debt; its sale in 1880 to test; the re-organization forming a new company. He declared that the result fully shows the wisdom of that sale, and it reflects the highest credit for wisdom and prudence on those then acting for the State. What was then all but hopeless has now become almost accomplished. The road has been built to Paint Rock, and the western section of the State is being developed, and now the assignees, after a faithful compliance with their contract so far, in grading west from Asheville towards Murphy, now, when they come before the General Assembly and say they find it impossible to raise funds sufficient to complete the road to Murphy and to carry out the contract as provided in the act of 1880; that they find the outstanding bonds are worth only 20 cents on the dollar; that it is

well-nigh impossible to raise one cent on these bonds—\$520,000 of which are now deposited with the treasurer of the State—now, when they propose to pay \$600,000 to the State in order to be afforded the relief they ask, and are willing to be bound by the contract except in this one particular, I think it should be given them.

These gentlemen, the assignees, say that they are in earnest about this matter, which looks to the development of North Carolina, and they are willing to be bound for the early and speedy completion of this road to a point on the Tennessee river at or near the mouth of the Nantahala. They say furthermore that with the view of meeting the demands of those who represent that section of the State around Cherokee, they are willing that fifty of the convicts shall, within sixty days after the ratification of this act, be kept continuously employed in grading the road and in the completion of it to Murphy. Now, sir, I desire to submit to this Senate six reasons why, to my mind, this bill should become a law:

First. As a pure financial transaction there will be placed in the treasury the sum of \$600,000 in cash as the result of the sale of the Western North Carolina Railroad.

Second. The State of North Carolina wants this money and can afford to grant the relief asked for.

Third. This sum will be the net proceeds of the sale of the Western North Carolina Railroad, the State and its railroad being relieved of the debt of \$850,000 and the interest thereon.

Fourth. By this transaction the State is practically assured of the further and better development of her territory.

Fifth. The building of the road to Murphy alone secures no immediate benefit to the State and delays the material development of Western North Carolina.

Sixth. The true policy of the State is to own no more railroads, and by this transaction the State rids herself of the contingency of this road being thrown back upon her hands.

These, I state sir, are the reasons, substantially, which have induced me to come to the conclusion that this measure of relief is one that this Assembly ought to pass before it adjourns.

It has been stated in the argument of the Senator from Forsyth that the State of North Carolina would not be injured—would suffer no detriment if this road was thrown back into its hands. It is now rather late to hold that it would be expedient that this road should be surrendered under any circumstances to the State. It has been stated that this matter has assumed somewhat of a political element. As I understand it, there is no element of politics entering into it. It is a question of finance.

It is a question of business. It is a question which comes before this Assembly from business men who ask after they have developed the State, that they shall be afforded a certain measure of relief which will be of benefit to them and at the same time aid the State in the development of its own territory. I call the attention of Senators to sections 18 and 19 of the act of 1880, and I present to them this idea. Suppose the Western Road was to fall back on the State what would be the position of that corporation? Under the provisions of section 18, six directors would be chosen on the part of the State, three on the part of the stockholders, and three on the part of the Clyde syndicate. Now, the question is, who are the owners of this private stock? This syndicate are the owners. Then you have this to contend with—a vote of six on the part of the State and a vote of six on the part of this syndicate. I have considered what would be the effect were such a state of affairs to exist, and I do submit, sir, that if you had such a state of affairs as this, the State would be involved in the same complication substantially that she was involved in before the sale was effected in 1880, and remember also that when this road comes back to you it needs to be equipped.

I stand here and protest against any legislation which will bring about the result either directly or indirectly, of the State again assuming the control of this road. I have stated that the developments which have transpired indicate and testify to the wisdom of the present administration, and of the General Assembly in the sale of this road. Now then, I come to this question: How is it possible, when a road has been graded, completed and equipped from Asheville to the mouth of the Nantahala, and \$600,000 in cash has been placed in the vaults of the treasury of North Carolina; how is it possible, I say, that the State can meet with any detriment in such a transaction? Some of our friends would have us believe that these people are not sincere. Now I wish to state that I am the friend of no corporation. I stand here representing the best interests of the State of North Carolina, and when I examine the territory through which this road is to be extended, and see that after it is constructed to the mouth of the Nantahala, it will be but thirty miles from Clayton on the Rabun Gap branch, and only twenty-five or thirty miles from Maryville to Knoxville, I naturally reach the conclusion that there is no corporation on the face of this globe that could afford to stop at the mouth of the Nantahala, and not extend its road to connect the Mississippi Valley, with the great cotton belt of the South. It is true, as stated by the Senator from Forsyth, that there are no provisions in this bill which, by limitation or otherwise, require that

these branches towards the Georgia line and towards the Tennessee line, shall be built simultaneously, but I submit that the matter must be viewed in a business light, and I again say that no corporation could afford to build to the mouth of the Nantahala, and then stop and do no more. Now, sir, he have heard a good deal about Murphy.

Murphy is not a seaport town, nor is there a railroad connection with any other part of the State. We are told by the Senator from Henderson, who so ably advocates the claims of his section that this town of Murphy is located upon a ledge of rocks in the mountains of North Carolina. I submit, sir, that it is a conceded fact that when this road reached Murphy it would find itself without connection in a section of the State where, from the lack of capital to be derived from its construction, it would be compelled to stop, and a line of railway would thus be built which would be practically a non-development of the State. But when the mouth of the Nantahala is reached we have practically secured a trunk line. The syndicate will be able to raise the money if the relief they ask is given, and it is a reasonable conclusion, one which is based upon the facts presented, that when the bonds are placed at their service, and they are able to raise the money upon them, a trunk line will be completed and North Carolina developed.

Speaking of the powers of railroad corporations, he said: What we need, sir, is more railroads in North Carolina, and while I submit that it would be the part of wisdom to see that they do not infringe upon the rights of our citizens with reference to discrimination; yet, sir, I am not one who is committed to the idea that we should be so contracted in our legislation, and so inimical to corporations proposing to develop the State, as to drive capital from the State. On the contrary, I am one in favor of forever holding up substantial inducements which shall bring to this good old State, in which there is scarcely 1,200 miles of railroad, such additional capital as will develop every part and every section of it. Now, supposing that this railroad is completed to Murphy, as desired by those in favor of the majority report, it would then find itself removed seventy miles from Cleveland on the Virginia and Tennessee road, a point which under the contract they would desire to reach—seventy miles—and when they got there what would be the result? The result would be, Mr. President, I apprehend, that they would have a connection with a corporation which seems determined to gobble up and control every connection that is made with it. A corporation which has been unfriendly to this corporation [Applause.] I stated in the outset of my remarks that the policy of this

Legislature should be to enable this Western North Carolina Railroad Company to develop the State. I ask Senators to examine this map and see for themselves what would be the future connections for this road upon its completion to the mouth of the Nantahala. (He urged that the policy of the State was to let this company off from going to Murphy and permit them to go to Maryville.)

Now, Sir, the gentlemen composing this syndicate come before us and say that they merely want the privilege of issuing new bonds which shall not contain the provision that the mortgage may not be foreclosed until they reach the town of Murphy; and they do not ask that privilege or relief at the hands of this legislature until they first put into this treasury \$600,000, and until they have completed and equipped the road to the mouth of the Nantahala. Is that all? By no means. They say that they recognize that the section in which is located the town of Murphy has some right to be heard in this matter; and with a view of tapping that territory and putting it in the way of development they will consent to keep fifty convicts continuously employed upon the line westward. Now, what is proposed here by the friends of the majority report? They propose that this syndicate shall complete the road to Murphy which will cost them one million of dollars and at the same time that they shall build a road to the Tennessee line which will cost them more than another million before this trade can be made. Now, Mr. President, I submit that these amendments would practically kill this bill, and if these gentlemen are opposed to any change of the Best contract then I submit it is passing strange that they should offer these amendments and seek to crush this syndicate.

If Senators will examine the matter they will find that the company has fulfilled all its obligations to the State.

Why, sir, Senators do not reflect when they argue against this measure, that in case of failure to comply with the provisions of the bill the whole concern is forfeited to the State of North Carolina, and I suppose, sir, they have not reflected that there has been covered into the treasury regularly without intermission the interest on these bonds. If so, why then is it demanded here that any additional restrictions shall be imposed? I submit, sir, there is no reason for it, and I refer to the wisdom of Davis and Ruffin, by whom this legislation of 1880 was prepared, to show that it is not necessary to impose additional restrictions as a clog to this bill.

(He argued that as this was a new corporation, it was already subject to the constitutional provision allowing the Legislature to alter, change and modify the charter,

and no necessity exists for putting that provision in the contract.)

I said that I was the friend of no corporation, but I am the friend of all corporations in the development of this State, and when I reflect that this Richmond and Danville Company, or this syndicate, has built the Air-Line road, at \$20,000 per mile, 55 miles, amounting to \$1,100,000; when I reflect that it has built 73 miles of the Western Extension, at \$20,000 per mile, at a cost of \$1,460,000; when I contemplate that it has built the University road, nine miles in length, at a cost of \$20,000 per mile, and the Winston road, 20 miles in length, at \$20,000 per mile, and has likewise expended in the way of development of the industries of this State \$80,000, making a total expenditure of \$3,170,000 in this State, I say, sir, that this company, I do not care what its name is, has erected in North Carolina a monument to its industry and zeal, and that it is entitled to some consideration at the hands of this Legislature.

Senator Costner rose and said:

MR. PRESIDENT AND SENATORS: I desire to make a few remarks in regard to the bill now before the Senate, to be entitled an act to provide for the sale of the State's interest in the Western North Carolina Railroad Company and for other purposes, and to assign the reasons mainly which prompted me to sign the minority report of the committee on internal improvements in the consideration of this bill, and I promise the Senate that I will be very brief as to the merits of the bill. The majority and minority reports have been fully discussed both pro and con., and I know Senators must be wearied, and I have no doubt made up their minds already what course they will pursue when they come to vote on the bill and the amendments. My disposition has been from the beginning of the session as a member of the internal improvement committee, as well as a member on the floor of the Senate, to look first to the general interests and welfare of North Carolina in all her contracts with railroad syndicates as well as all other railroad interests, believing that said syndicates on the one hand and the representatives from such districts of the State through which the roads were to run on the other hand, being directly and personally interested, would look to their respective interests. But while this is so, I felt it my duty all the time, consulting the interests of all, to pursue a course on the various distinct propositions before us to accommodate all parties when consistent with my plain duty as a legislator. I may say that I have pursued as I think a strictly conservative course in regard to the several bills which have preceded this one during the present session of the Legislature, all looking to

a change of contract with the assignees under what is known as the Best contract, the assignees asking to be relieved of that provision contained on the face of their bonds, which forbids their foreclosure until the road shall have been completed to Paint Rock and Murphy, alleging that the bonds with that provision on their face make them unmarketable or non floatable bonds upon which they are unable to raise money so as to proceed with the stupendous work on their hands of building railroads through the mountains, and consequently ask that it be stricken out. On the other hand, the people of the extreme West through their Representatives and Senators are asking and demanding guarantees so as to secure the completion to Murphy, in Cherokee county, as provided for in the Best contract. I, as a member of the committee on internal improvements, for myself, looking on from an unbiased standpoint, not interested except as a North Carolinian, a tax-payer and representing a district on this floor, have stood aloof, while the parties directly engaged in trying to agree upon some plan by which the relief sought for could be obtained, and the friends of the Murphy line satisfied that the syndicate or assignees would build their road to Murphy, believing that the two interests or parties already spoken of were the first to reconcile in this matter, and if they could agree upon a plan or bill, that then our committee and the Senate would necessarily have to determine for ourselves and those whom we represent, whether the bill presented would secure the interest of the State with all parties interested, without stopping to argue the merits or demerits of the several propositions considered pro and con by the internal improvement committee in the other end of the capitol previous to the one now before the Senate, it was manifest that the conflicting interests could not be reconciled so as to agree upon either of them. Finally, it appears, however, (as in evidence before our committee) that one of the syndicate, Col. Buford, came to Raleigh, and he and others for the syndicate on the one part, and the friends of the Murphy line on the second part met together on several occasions, and I think on several days, and by mutual concession and agreement brought to light the present bill under consideration. It was introduced in the House and passed almost unanimously, and I confess that I knew nothing of such a bill until I saw an account of its passage in *THE NEWS AND OBSERVER* the next morning after its passage. This to me was an agreeable surprise; I may truly say I was delighted, as I have no doubt most of you were who hear me now. Upon inquiry of my room mates (who were House members) I learned it was a compromise and received the support of every western member except one. Now

why was I agreeably surprised and delighted?

1. Because I had full confidence in the zeal and intelligence of the western members that they would accept no bill that did not secure to them the same guarantees or perhaps better ones, than they already had for an early completion of the road to Murphy under the Best contract.

2. Because I had confidence in the honesty and integrity of the parties representing the assignees of the Best contract that they were in need of relief, and that they saw their way clear under the provisions of this bill to obtain a part or perhaps all the relief they needed or desired, and could go on in the prosecution of the work of building up the grand and long looked for railroads in the West.

3. Because upon an examination of the bill I believed the State was as well secured in all her interests, and even making a good financial arrangement in the provisions of this bill in the sale of the \$520,000 of the company's bonds for \$600,000 in cash, to be paid into the Treasury, and for the further provision which this bill contains as amended by the minority report of the committee, which requires the assignees under the Best contract to receive the convicts at the penitentiary and return them again at their own expense, whereas now the State has to incur this outlay under the present contract.

4. Because I felt for myself, the committee and for this Senate great relief in their labors, who have been nearly all the time since we met, here brain sweating, laboring and discussing the question of railroads and the various interests and complications of the State with them.

These, Mr. President, are the reasons mainly why I think this Senate ought to pass this bill, or which influence me at least to give it my support as being the very best that can be done as I understand it; that the syndicate have loaded themselves now with all that they can carry; that it is this bill or it is the Best contract as it now is, with perhaps a possibility and even a probability that the road may fall on the hands of the State, which I for one do not desire, as we all know by experience that the State has never developed talent to either build or construct and run railroads as State enterprises profitably under the circumstances surrounding us, and by this I do not mean to disparage North Carolina's virtue or talent, for I think we have as good and capable men as any other State or Territory in these United States or elsewhere.

I for one would be entirely willing to vote for the amendments proposed by the majority of the committee on internal improvements if I thought they could or would be accepted, but I am informed that Col. Buford, representing the syndicate,

said to his Western friends, and I think it was admitted before the committee that he would not, and could not if he would, carry any more than is contained in the bill and go on with the work. Now, I ask this Senate why should we consume the time of the Senate in discussing conditions which cannot be accepted? It appears to me if we cannot agree to pass this bill with the amendments of the minority added thereto that our legislation is all for nothing, under the circumstances; and that we should proceed with our other legislation, and, I will say now in conclusion, than if anything better than this bill can be accepted by the contracting parties, (it being always necessary that the contracting parties, whether two or more, do agree before a trade is made or contract closed) I would gladly accept it, especially so if it secured the State of North Carolina and relieved the minds of our Western friends more fully.

Mr. President—It has been my fortune or misfortune, am unable to say which, at at this session of the General Assembly to feel it my duty to sign minority reports. On the committee on internal improvements on two occasions, the present bill under consideration and the one providing for the sale of the Cape Fear and Yadkin Valley Railroad. I have no time to discuss that sale if I was so disposed, but permit me to say that I think that we, representing the State, were liberal in granting a good bargain to that syndicate in order to develop a country in need of railroads. Then, I ask, should we not, if the State is secured under the provisions of this bill against loss, afford the desired relief in order that this syndicate may go on and develop a country that has been looking with longing eyes so long for railroads to open up their country.

SENATE.

NIGHT SESSION.

MONDAY, March 5.

Mr. Whitford's resolution to go into joint session with the House in the election of magistrates was adopted, and sent to the House for concurrence.

Resolution for \$4 per diem compensation to the clerks on committee on magistrates was adopted.

Bill amending the charter of the town of Bethel, in Pitt county, passed its third reading.

Bill to prevent the destruction of wild birds and fowls in New Hanover county, with amendments of committee, was adopted. Passed its third reading.

Resolution for public treasurer to pay Marion Cobb \$644, a member of the State Guard, for services rendered the State.

Mr. Battle explained that during the Plymouth riot young Cobb, as a member of the

Edgecombe Guards, went through snow, sleet and hail, with his company from Tarboro, and was taken sick at Plymouth, and remained there a month or so at the point of death: he had the best medical attention, and this was to reimburse him for expense of nursing and keeping.

Mr. Morehead asked if this medical bill had been paid.

Mr. King of Pitt, said he heard from the young man that he had paid \$450 of it.

Mr. Morehead thought that if this young man went there at the call of the State the money should be paid for his proper nursing and keeping, but the question in his mind was whether it was a medical bill against the government or the individual.

Mr. Boykin said he had sat and reasoned with him about it, and he thought if the thousands of one-legged, one-armed Confederate soldiers who had braved death and exposure four long years could not be paid anything that he could hardly consistently vote for this.

Mr. Alexander did not think the two cases similar, he argued that young Cobb should be paid.

Mr. Watson asked what the \$664 was for.

Mr. King, of Pitt, replied that it was his doctor's bill and board bill, that he had two physicians and was delirious nine months.

Mr. Watson said there was a bill about to pass the House that appropriated about seventy-five thousand dollars to the disabled soldiers of the late war. If the bill comes here he expected to vote against it, but not because the loss of a limb made a man a rebel, but because he was not willing now for the State to run a pension list, and so he could not consistently vote for this resolution.

Resolution failed to pass—rising vote—yeas 10, nays 15.

Bill to prevent live stock from running at large in certain parts of Rutherford county.

Mr. Webb explained the demands of his bill.

Mr. Eaves opposed the bill and asked the yeas and nays. Ordered. Yeas 27, nays 6, so the bill passed second and third reading.

Messrs. Goodwynn and Mebane, Republicans, voted yea on this bill.

Mr. Boykin, bill to cede certain lands in Wilmington to the United States for the purpose of building custom house, was placed on its readings and passed the Senate.

Bill to authorize commissioners of Granville to pay Mrs. Elizabeth Jenkins one hundred and twenty dollars, passed third reading.

Bill to regulate elections.

Mr. Mebane offered amendments.

Mr. Watson moved the consideration of bill and amendments be postponed till tomorrow at 11 a. m.

Mr. Alexander thought the Senate was ready to act now.

Mr. Richardson thought it a matter of importance that called for more time to consider.

Mr. Payne could not see the necessity of postponement till to-morrow, he said this bill with the exception of four or five changes was exactly the same as already in the Code.

Mr. Watson said he would withdraw his motion to make another, as he did not think it would admit of discussion, he now moved to lay the whole matter on the table.

On that motion Mr. Payne called for the ayes and nays. Ordered. Ayes 17, nays 19; so the Senate refused to table.

Mr. Morehead moved that the further consideration of the bill be postponed until to-morrow at 12 o'clock.

Mr. Alexander was opposed to this, either pass the bill or kill it.

Motion put—rising vote—ayes 18, nays 17; so the bill was postponed until to-morrow, at 12.

Mr. Morehead moved that the revenue bill be made special order for to-morrow. So ordered.

Mr. Whitford moved to go into election of justices of the peace at 9:30 to-night, and the House to be informed. Ordered.

Bill to enable J. J. Dawson, late sheriff of Halifax, to collect arrears of taxes, passed its third reading.

Bill to protect the estates of deceased persons and lunatics; committee substitute adopted, also an amendment from Mr. Dortch, and the bill passed its third reading. Mr. Dortch said the bill came from the House, and was so broad in its provisions that the judiciary committee reported against it. The purpose now of the bill is to prevent any assignor or endorser from being a witness as to non-payment of debts cont. acted before 1868, it also does away with all oral testimony.

Bill appropriating \$3,000 for building Quarantine Hospital at Price's Creek.

Mr. Battle spoke, describing the great necessity for passing the bill.

Mr. Boykin said it was absolutely necessary the bill should pass, and spoke to its necessities. He said it was a very serious matter, that it not only affected the trade of Wilmington, but the health of all the State, and the sum was an insignificant amount that was asked in the bill.

Mr. Purnell referred to the scenes in Wilmington during the fever, and said it ten times the sum it should be given.

Mr. Ramsay said the bill had merit in it, and should pass.

Mr. Alexander said the finance committee was unanimous for the bill.

Mr. Pemberton said his father and most of his family were buried there: died of

yellow fever in 1862, and he would be willing to vote ten times the sum.

Mr. Scott, of Rockingham, said no one was opposed to it; that the Senator from Nash made the best speech on it he ever made, and so he called the previous question. Bill passed third reading.

Bill to change the name of Bruce's township, in Guilford county, passed third reading.

Bill to prohibit liquor in one mile of Rutherford College, passed third reading.

Bill to pay Mrs. Mary R. Moore, for services as clerk to the late superintendent of the Insane Asylum, at Goldsboro, \$150, passed third reading.

Bill to prohibit the sale of liquor in two miles of Forks of Ivy and Pleasant Grove churches in Buncombe and Madison, passed third reading.

Bill for the protection of fish in Guilford, passed third reading.

Bill to prevent felling of trees in South Yadkin river in Iredell, passed its third reading.

Bill to make Haw river a lawful fence in Alamance county, passed its third reading.

Bill to change the dividing line between Duplin and Wayne, passed its third reading.

The hour arrived for the election of magistrates, and the Senate was notified that the House was ready and had appointed tellers; the Senator from Wake and the Senator from Nash, were appointed tellers on the part of the Senate.

Mr. Loftin objected to one of the magistrates reported by the committee, for the county of Lenoir, and wished Mr. Pridgen, who, he said, was a good Democrat in his place; he said he had no confidence in the man, he wished struck off; that he could not practice before him, and read a letter from the clerk of the superior court of Lenoir county, saying there was then, an indictment pending against the man for perjury, and he said that John C. Washington said to him in the town of Kinston, that this man if prosecuted would be convicted.

Mr. Whitford said the committee met on this particular party and appointed him as a committee of one, and he could say that this communication was not official but came from one of the blackest white Republicans could ever be found, a man once a Democrat but since turned Radical, and he sent letters to the clerk from some of the best men in Lenoir, who though they said they differed from Mr. Jackson politically, that he was a man of good character. He said that Jackson was a power against Mr. Loftin in the late canvass in Lenoir, and carried that county against him.

The vote was then taken on the list in whole, as reported from the joint committee, and the yeas and nays were called.

Many Democrats voted for the nominees of the committee, save as to the three negroes recommended—James and Drew, in Edgecombe, and Hughes, in Granville; also four or five Democrats voted for Pridgen, in Lenoir, instead of for Jackson.

Mr. Gray, of Edgecombe, said he voted against the negro magistrates in Edgecombe, not because they were Democratic negroes, but because they were liquor dealers; and, besides, they didn't want to be magistrates anyhow, for a magistrate's office ruined a liquor dealer.

Mr. Richardson said he voted for the committee nominees, except the colored men on the list from Edgecombe and Granville, and the other ninety-four counties in the State, &c.

Mr. Lovill said to the colored Senators that he would not vote for negro magistrates, because their Radical speakers came up West, and tried to make party capital out of their appointing them to office, disclaiming against it to the white people.

Adjourned.

HOUSE OF REPRESENTATIVES.

EVENING SESSION.

TUESDAY, March 5.

CALENDAR.

To incorporate the town of Chadbourn, in Columbus county, passed third reading.

Act concerning the streets of Raleigh. Passed its third reading.

To establish a graded school in Shoe Heel township, in Robeson county. Passed its third reading.

To amend chapter 247, act of 1881. Passed its third reading.

To establish graded schools in Lenoir. Caldwell county. Passed its third reading.

SPECIAL ORDER.

To amend section 5, of chapter 192, laws of 1876-77.

Mr. Green, of New Hanover, amended as follows:

The board of alderman shall have each block and lot numbered 30 days before any election held under the requirements of sec. 1 of this act. The number of the block to be printed in large letters and placed on two parts of each block and the number of each lot to be printed in large letters and put in some convenient place, and notice of the same to be published for one week in the city papers. Adopted. Passed third reading.

To establish a graded school in Washington, N. C. Passed third reading.

To establish a graded school in Magnolia, Duplin county. Passed third reading.

To incorporate Shiloh Lodge No. 90 I. O. O. F., Camden county. Passed third reading.

To authorize the board of commissioners

of Warren county to levy a special tax. Passed third reading.

To incorporate the town of Shiloh, Camden county. Passed second reading.

To incorporate the town of Pollocksville Jones county.

A message from the Senate announcing that that body would go into the election of magistrates at 9:30 this p. m., and requesting the concurrence of this House was received and upon a vote being taken the House concurred.

Act to repeal local prohibition in certain localities, and to prohibit the sale of intoxicating liquors in certain other localities, passed its third reading after various amendments.

To prohibit the sale and manufacture of spirituous liquors within one mile of Ruthersford, Burke county, passed its third reading.

SPECIAL ORDER.

To authorize the county of Pender to issue bonds. Pending discussion the hour appointed to go into the election of magistrates was announced.

A message was sent to the Senate that the House was now ready to go into the election.

Messrs. Overman and Bullock were appointed tellers on the part of the House.

The House then went into the election, appointing those whom the committee recommended.

SENATE.

FIFTY-FOURTH DAY.

TUESDAY, March 6, 1888.

The Senate was called to order at 10 o'clock.

BILLS.

Mr. Battle, bill to prevent destruction of fish in Stoney creek and Pig Basket creek, in Nash county. Also bill to establish a new township, in Nash county, to be known as Red Oak.

CALENDAR.

Bill to authorize Vance county to levy a special tax came up on third reading.

Remarks were made by Mr. Cozart.

Bill passed third reading—yeas 36, nays 3.

Mr. McLean's bill to increase the courts of New Hanover county (by request.)

Bill to incorporate town of Pates, in Robeson county, passed third reading—yeas 35, nays 0.

Bill for the improvement of streets of city of Greensboro passed third reading—yeas 37, nays 0.

Bill to authorize the commissioners of Swain county to levy a special tax passed third reading—yeas 39, nays 0.

Bill to incorporate the town of Smithfield, in the county of Johnston, passed third reading—yeas 38, nays 0. [This town is 103 years old. It has renewed its charter.]

Bill to establish a graded school in Halifax township, Halifax county, passed third reading, yeas 38, nays 0.

Bill to incorporate Harrellsville, in Hertford county, passed third reading, yeas 35, nays 0.

Bill to authorize the commissioners of Halifax to fund and pay the debt of said county.

Mr. Goodwyn amended the bill, first to leave it to the vote of the tax-payers of that county, and called the yeas and nays on his amendment. Ordered Yeas 15, nays 18, so the amendment was lost.

Bill passed third reading, yeas 25, nays 6.

Mr. Alexander moved the revenue bill be referred to the finance committee and made special order for 7:30 to-night. So ordered.

Bill to amend the various acts incorporating Rockingham, in Richmond county, passed third reading, yeas 33, nays 0.

Bill to authorize the board of commissioners of Person county to subscribe to capital stock of the Roxboro Railroad Company, passed third reading, yeas 33, nays 0.

Bill to authorize the commissioners of Rockingham county to levy a special tax, passed third reading—yeas 34, nays 0.

Bill to incorporate Woodland, in Northampton county, passed third reading—yeas 32, nays 0.

Bill to authorize the board of commissioners of Lenoir to levy a special tax to build a bridge across Neuse river, passed third reading—yeas 35, nays none.

Bill to establish a graded school in Rocky Mount, for the counties of Nash and Edgecombe, passed third reading—yeas 33, nays 0.

Bill to amend the pharmacy law of 1881, passed third reading.

Bill to incorporate Weban, in Alamance, passed third reading—yeas 30, nays 0.

Mr. Dortch said at the request of the asylum authorities he would ask to introduce a bill to supplement a bill to incorporate the insane asylums of the State, arranging it so that little purchases, as of fowls, etc., could be made by the superintendent, and afterwards get the endorsement of two of the board of directors. The bill passed third reading.

House amendments to the bill reorganizing the board of agriculture, concurred in.

The hour came for the bill for regulating elections, as a special order.

Mr. Payne moved to pass the bill over in formally, as they were engaged in drawing a substitute. It was passed over.

Bill to incorporate Palmyra, in Halifax, passed third reading—yeas 28, nays 0.

Bill to incorporate Rich Square, in Northampton, passed third reading—yeas 30, nays 0.

Bill to incorporate the village of Leonsburg, in Hyde county, passed third reading—yeas 32, nays 0.

Bill to amend chapter 247, acts 1881, as to live stock in Nash, etc., passed second reading—yeas 27, nays 0.

Bill to change the charter of town of Edenton passed second reading, and then passed third reading.

Bill to authorize the commissioners of Buncombe and Henderson counties (with amendment from Mr. Jones "to strike out Henderson," which was accepted) to finish the Asheville and Spartanburg Railroad passed third reading.

Bill to amend chapter 60, private laws of 1877-'77, as to keeping up the Occaneechee fence (with committee amendments) adopted—passed third reading.

Bill to punish the offense of breaking or tearing down bridges passed third reading.

Bill to repeal chapter 96, laws 1869-70; and chapter 194, laws 1870, as to turnpikes, passed its third reading.

Bill to amend chapter 234, laws 1881, (known as the omnibus act) passed its third reading.

Bill to amend chapter 175, laws 1876-77, as to the town of Littleton, passed its second reading—yeas 27, nays none.

Bill to amend chapter 242, laws 1876-77, as to "courts" and drawing venires, in the city of Wilmington, passed its third reading.

Bill to repeal chapter 191, laws 1881, as to the better protection of farmers and fishermen, passed its third reading.

Bill to amend section 1, chapter 345, laws 1881, as to Pamlico, Dare, &c., passed its third reading.

Bill to prohibit the use of "set down net," fish traps, &c. in the waters of Masonboro Sound, New Hanover county, passed its third reading.

Bill to prohibit liquor in certain parts of Haywood and Alexander counties, passed, its third reading.

Bill to prevent the felling of trees and brush in Hulsey and Coal swamps, in Duplin county, passed its third reading.

Bill to prohibit fishing on Sunday.

Mr. Hill moved to table it.

Mr. Pinnix said the committee saw no evil in it.

Mr. Poole said the Representative from Dare said they wanted it.

Mr. Jones asked Mr. Hill to withdraw his motion; he said they said the Sunday fishermen had better luck than the others; that the fish bit better on Sunday, he should like the bill to pass.

Mr. Hill said the people up West could fish and play base ball on Sundays; he was a school boy up there, and there were too many of these little laws for the East, but he would withdraw his motion to table.

The bill was read. The penalty is not less than two hundred dollars or more than

five hundred; applies to fishing with seines. It passed its third reading.

Bill in relation to an oyster garden, passed third reading.

Bill concerning hunting for wild fowls with floating batteries in Carteret, passed third reading.

Bill to punish forgery of names to petitions, any person who wilfully signs or causes to be signed names to a petition for office or for pardon, or to decide or influence any public action, a heavy fine and not less than five years in penitentiary.

Mr. Watson said let it pass; in his county a man went to get another's name to a petition for prohibition, and failing to get it he signed the names of all his dogs. The bill passed third reading.

Mr. Alexander, a bill to amend chapter 50, of laws 1879, providing for a State Geologist on the Board of Agriculture.

Mr. Alexander said in order to give the board a chance to do something it was necessary that this bill pass. The bill leaves the pay of that officer discretionary with the board. The bill passed third reading.

The House notifying the Senate that it was ready to go into the election of trustees for the University, the chair, Mr. Purnell *pro tem.*, appointed Senator from Rowan and Senator from Duplin as tellers on the part of the Senate and went into the election.

A conference committee on the part of the Senate, to meet with a committee of the House in that chamber this evening at 3:30 to appoint members of the board of agriculture and report their names at the session to-night, were appointed by the chair, Senators Battle and Pemberton.

Bill for a public highway in the county of Onslow, passed third reading.

Bill to change the corporate limits of Jacksonville in the county of Onslow, passed third reading.

Bill to amend chapter 19, private laws 1881, passed third reading.

Bill to repeal local prohibition at Pleasant Grove Church, Nash county, passed third reading.

Bill to incorporate the town of Sassafras Fork in Granville county, passed third reading.

Bill for the relief of W. A. Estes and other railroad tax collectors in Forsyth, passed third reading.

Bill to repeal sec. 13, chap. 154, laws 76-77, as to bonds of Superior Court clerks, passed third reading.

Bill to make it unlawful to poison fish in streams of the State, passed its third reading.

Bill requiring railway companies to keep and maintain cattle guards, passed its third reading.

Bill to make fishing a misdemeanor in

Sapping creek, Nash county, passed its third reading.

Bill for the relief of Elizabeth Pratt, of Rowan county, passed its third reading.

Bill to incorporate the Elmwood cemetery, in Halifax county, passed its third reading.

Bill to amend section 5, chapter 234, laws of 1881, as to prohibition at Littleton, passed its third reading.

Bill to amend the charter of the town of Matthews, passed its third reading.

HOUSE OF REPRESENTATIVES.

House met, Speaker Rose in the chair.

Prayer by Rev. Dr. Yates.

BILLS.

Mr. Tate, concerning the great seal of the State.

Mr. Green, of New Hanover, to incorporate the Israel and Priscilla Benevolent Society of Wilmington, N. C.

Mr. Overman, to amend chapter 232, laws of 1879.

Mr. Sherrill, resolution concerning evening sessions; to sit from 3 to 6 p. m. Lost.

The morning hour having expired the railroad commission bill was taken up, being the bill introduced by Mr. Forbis, which was, with the amendments, read for information.

Mr. Bailey, of Mecklenburg, and Mr. Bunn offered substitutes, which were read.

Mr. Forbis moved to amend the original bill; striking out that part relating to schedules of trains.

Mr. Hayes, of Robeson, an amendment constituting the commission a non-partisan one.

A number of amendments were offered, most of which were voted down.

Mr. Bailey, of Mecklenburg, an amendment to the bill introduced by Mr. Bunn, providing that nothing in this act shall be so construed as to authorize the fixing of minimum rates, but the powers so conferred shall be confined to the maximum of rates.

Mr. Bledsoe moved to lay the whole matter on the table. Lost—yeas 36, nays 63.

Mr. King said: I do not propose to consume much time but I feel that I would not be doing my full duty if I did not raise my voice in behalf of the people of North Carolina. This is a matter in which they are vitally interested and are expecting us to do something of this kind before we leave the city of Raleigh. We are here to represent the people, and they demand it. It has been said by a Representative here that if we pass this bill "farewell to foreign capital," and that there will not be any more roads built in North Carolina. All I have to say in reply is, look at Georgia, where they have had this law, or one similar, for nearly four years, and you will see a State that has more railroads built in

that length of time than any Southern State in the Union, and not only railroads built, but is more progressive and prosperous than any of our sister States. You have heard it said that this bill is unconstitutional, but fortunately I am able to tell the House this morning that there has just been a decision by the Supreme Court of Georgia, in which they say it is constitutional—that a charter is not a contract—and before the State parts with her power to regulate freights she must make a regular contract. It may be asked why does not the Legislature regulate freights. In reply to that I will say it would be impossible to do justice to all the roads, affected as they must be by the varying lengths, by the kind of freights on different lines, and many surrounding circumstances which the Legislature knows nothing of, but it would be the duty of the railroad commission to look into all these things and arrange the freight tariff accordingly. We do not want a commission that will impose upon the railroads, but one that will do justice to all. We want them to act as middlemen."

Mr. King then gave an instance of how the people were treated, thereby showing, as he said, the need for this commission. A memorial from the fruit growers of Guilford, he showed, in which they state that the nursery fruit business brought into his county \$300,000 in 1882. It is stated further the discriminations of the Richmond & Danville Railroad in the fall of 1882, that a party at Raleigh shipped trees from that point to Augusta, Ga., on a through bill of lading at 45 cents per hundred pounds. The trees came by Greensboro—while Greensboro and adjacent points paid 98 cents and \$1.00 per hundred pounds to Augusta and also for transfer in Charlotte. All freight of the same class with trees was being shipped on through bills of lading over the same line, while shippers of fruit trees were obliged to send an agent to transfer their freight at almost all terminal points, on even their branch roads. One party at Greensboro was forced to ship by Burkeville, Va., to get to New Orleans. The Richmond & Danville railroad charged fifty-one cents per hundred pounds from Greensboro to Burkeville, Virginia. The Norfolk & Western road charged only seventy cents per hundred pounds from Burkeville to New Orleans. The distance from Greensboro to Burkeville is 142 miles; from Burkeville to New Orleans more than 1,000 miles. This shows the action of the railroads.

In regard to the salary being too small to get good men, the speaker said as good men as the State possessed could be got for the amount offered, as they are not required to come here but once a month, and with an efficient clerk they will have the business

in shape so they need only remain a few days, and I think in this way they will get big pay for the time actually engaged.

Mr. Strudwick supported the bill known as the minority bill. There was a universal sentiment that a commission was needed to redress grievances. The people demand it. Upon the eve of the session we take up the only bill that will give relief to the people. The constitutionality of the bill was a doubtful one. It was a deep question. Money spent to determine it would be wisely expended. It will be only one attempt to give help to an oppressed people, and we could not be blamed if we were not successful. If we go home without attempting some kind of relief the people will not hold us guiltless.

Mr. McLoud endorsed the position taken by Mr. Strudwick. This bill will give most relief—none of them are perfect—but we must not go home without doing something to help the people; some real good, something, as Shakspeare says, that has a stomach. The Georgia Legislature had been sustained by the Supreme Court of the State in creating a commission there. We had better not do anything by way of amendments and substitutes that will stifle the bill.

Mr. Simmons favored the bill introduced by Mr. Bunn; thought the bill of the minority, if adopted, would drive capital out of the State, and to drive railroad capital out of the State would cripple every industry in our midst. The majority report is sufficient for every purpose. It prevents unjust discriminations in charges of freight and fare. It gives power to investigate all damages to life and property. It gives power to examine the condition of the roads, and makes the companies keep them in good condition.

Mr. Holt moved to have the bill taken up by sections, and get the good out of each one.

Mr. Temple, an amendment appropriating \$50,000 to prosecute and defend suits that may arise under the operations of the commission. Rejected.

Mr. Green thought it best for this matter to be considered in committee of the whole it would make more progress.

Mr. Leazer favored the minority report: this commission was demanded by the people to protect them against unjust discrimination in freights and charges. This bill made provision for thorough protection. As an illustration of the grievances and unjust discriminations complained of, he cited a case (one of many) where a certain amount of freight was carried to a certain town for, for instance, \$4. and the same quantity was taken to a place fifteen miles further off, without change of cars, for a dollar less.

Mr. Overman advocated the bill introduced by Mr. Forbis, of Guilford, and said

"In the short time allowed me, Mr. Speaker, I shall attempt to show to the House the necessity of a railroad commission in North Carolina, and I shall also try to answer some of the objections urged against what is known as the Forbis bill, which, with a few amendments, is the bill introduced and urged by the minority report of the joint committee to report on the expediency of a railroad commission." He said the people were crying out under the oppressions of the railroads; that corporations and monopolies were sucking, like great vampires, the very blood out of the people, and that notwithstanding this cry the Legislature had been in session sixty-two days and had as yet done nothing for the relief of the people. We have incorporated railroads, we have relieved railroads, we have levied taxes, we have voted appropriations for various institutions, but not one thing of importance has passed that looks to the relief of the people. Let us pass this. Let us show them we have their rights and their good always before us.

The many amendments were put to the House, and lost except those offered by Mr. Holt and Mr. Bailey.

The question was now upon Mr. Bailey's substitute, which did not prevail.

The amendments next in order were voted down.

The question then recurred on the passage of the original bill, introduced by Mr. Forbis, on its final reading, and the bill passed by a vote of 57 to 37.

The following is the vote:

AYES.—Messrs. Anderson, Bailey, of Mecklenburg, Bailey, of Wilson, Barrett, Beall, Bennett, Bower, Bunn, Byrd, Crouse, Forbis, Fulton, Glenn, Green, of Franklin, Gudger, Hardy, Harris, of Davidson, Hayes, of Swain, Holt, Houston, Johnson, of Johnston, King, Lawrence, Leazar, Le noir, Liles, McAllister, McCotter, McCurry, McLoud, Marsh, Matheson, Mathis, Myers, Overman Patrick, Person, Phillips, Posey, Powers, of Cleaveland, Ray, Reid, of Gaston, Reynolds, Sandifer, Sherrill, Simmons, Stanford, Stringfield, Strudwick, Thompson, Tomlin, Walker, Williams, of Granville, Williams, of Sampson, Williamson, Wood, Worthington.—57.

NAYS.—Messrs. Abbott, Baum, Belcher, Bledsoe, Bradley, Bridgers, Bruce, Bryan, Bullock, Cheek, Eaton, Frayser, Gatling, Green, of New Hanover, Harris, of Wake, Hayes, of Robeson, Holton, Johnson, of Craven, Leary, Lineback, Mitchell, Montgomery, Newby, Newell, Page, Pittman, Poe, Powers, of Cumberland, Pruitt, Robbins, Smith, Speller, Sutton, Temple, Waddell, Wilcox.—37.

Mr. Tate was excused from voting.

Mr. Harris, of Davidson, in explaining his vote, said:

I had the honor of being a member on the

railroad commission committee. We had several railroad gentlemen before us, all of whom were opposed to creating a commission, with power to regulate freights and passenger rates; there were several plans and bills presented before us for our consideration, and after mature deliberations by the committee, a majority of the committee saw fit to offer a bill creating a railroad commission without any power to regulate freights and passenger rates, so as to prevent unjust discrimination. A minority of the committee on the establishment of a railroad commission did not concur in the report of the majority, for the reason that they believe a railroad commission either is or is not a necessity. If it is a necessity—and the whole committee were unanimously of the opinion that it is a necessity—the minority was of the opinion that a commission merely to find out the evils of discrimination in freights and passenger rates, and violations of charters, and of laws of the State, by said corporations without adequate powers to speedily remedy such evils when found, would be of no use to the people of North Carolina. I am in favor of a plenary power for said commission, not only to find, but to promptly correct all abuses and discriminations, and form a bulwark between the people and these corporations, protecting the people fully; while at the same time corporations are not unjustly dealt with. A minority of the committee reported in their wisdom a substitute, which did give the commission the right and power to regulate freights and passenger rates. This bill now under consideration before this honorable body is the same substitute that I had the honor of signing, with some amendments, which I do not approve of, but believing as I do that the people demand of this Legislature a railroad commission for their benefit, while I much prefer supporting the substitute offered by the minority report of the committee, without any amendments, I shall have to vote for this as it seems the best one that we can get, therefore I am willing to accept a half a loaf rather than get nothing—I vote yea.

The House then went into the election of trustees of the University. The following gentlemen were elected: W. J. Hawkins, K. P. Battle, P. C. Cameron, Hayne Davis, B. F. Grady, W. N. Webane, A. H. Merritt, Z. B. Vance, C. H. Wiley, C. W. Broadfoot, John D. Cameron, H. R. Bryan, James S. Battle, James T. Morehead, R. S. Beall, S. Kenan.

Whose time will expire in 1891: W. L. Saunders, F. H. Busbee, K. Craige. New additional trustees: D. L. Russell, I. R. Strayhorn, W. H. H. Burgwynn, W. W. Lenoir, T. M. Holt, E. R. Page, J. Edwin Moore, T. J. Jarvis (in place of J. D. Cameron, resigned.)

The bill for the support and encouragement of the State Guard was taken up and ably advocated by Mr. Worthington, who said :

When my friend on my left, the learned gentleman from Duplin, so eloquently pleaded for the maimed soldiers of the late war, his eloquence and the occasion naturally inspired sentiment. The drapery was withdrawn and our vision penetrated the past. We saw as it were before us the dread preparations of war. We heard the clangor of sabres and the sombre roll of the drum. We saw a new republic marked out on the map of the world. We saw it invited into the family of nations. We saw once more upon the bristling heights the banner that had greeted the first blushes of the morning. We saw it again when the mellow iris of sunset had tinted its stars and bars. We saw it again when the sun had bid out the of sky. We saw it again, but tattered and torn and furled forever. We saw the maiden in the shadow of her sorrow—the frosted head of the aged father bowed with the last grief. We saw here and there sunken mounds of our brothers and comrades, unmarked and unconsecrated within the shadows of the pine and tearful willows, each sleeping in the windowless palace of rest. We saw their bosoms decorated with death wounds; we saw the living wearing in their armles sleeves and upon their battled-scarred bosoms the noblest patents of nobility, more to be envied than the order of the Star and the Garter, the decoration of St. George, or the jewel of the Iron Cross, and when my eloquent friend spoke so feelingly of the trustiness of our slaves, we could see as it were two monuments penetrating the heavens; the one veiled in drapery, fit emblem of the sorrows of the nation, dedicated to the Confederate dead; the other, its summit crowned with the image of a colored man, and dedicated to those slaves who shared with their masters the common misfortunes of war.

When a bill introduced by myself as chairman of the committee on military affairs was under consideration in the House, the facetious remarks of the gentleman from Randolph were unintentionally disparaging to the manhood of the State Guard. He had apparently forgotten that but a few years ago North Carolina was precipitated into the death throes of revolution—that her very nerve centres were touched with the paralysis of death. The gentleman had forgotten those troublous times, but I beg to assure him I had not. Martial music in the ears of the gentleman from Randolph was doubtless sweet—sweeter than the sound of the pibroch in the ears of the cot Swen when it is summoned to the fray the clans of McGregor—the “waving of banners” was doubtless inexpressibly dear—yes, dearer than those ban-

ners that appeared in the gloaming when Wellington prayed for Blucher or night, but I shall pursue the sentiment no further. I shall leave the gentleman to his reflections, and I trust he will at least modify his opposition if he cannot consent to unite his efforts with ours in this patriotic and necessary measure.

Mr. Simmons, of Beaufort, said: When I left home for Raleigh at the beginning of the session. About the last thing said to me was by the young soldiers of my county, asking me to do what I could to get an appropriation from the Legislature for the State Guard. A sense of duty compels me to vote for the appropriation; if the Guard is worth having it is worth maintaining. The State is ever ready and willing to have their services in times of trouble, and for that ought to pay. Our people want it, for there are petitions from every direction asking for it. We have instances of the great good they have done; never can I forget the efficient service rendered at Plymouth by the company from my own town, with those from Tarboro, Edenton and Elizabeth City, how willingly they responded to the call of the Governor. It was patriotic motives that prompted them, and they should be encouraged in their patriotism. The protection of our lives and property demands that the Guard should be supported by the State.

SENATE.

NIGHT SESSION.

TUESDAY, March 6, 1888.

Mr. Battle in the chair.

Bill to raise revenue up as special order.

The committee reported amendments. They were adopted. Mr. Payne, for committee, explained the amendments.

Mr. Forehead offered an amendment to the drummers' license section in the bill. It provided that in order to encourage the growth and manufacture of material and necessary products, any person who shall have paid the tax herein prescribed, or for whom said tax has been, shall be entitled to receive from the Treasurer the sum of \$75 as a premium for any goods, wares or merchandise, the growth of this State, or manufactured within this State, being of the same goods, wares or merchandise for the sale of which the said license was granted, and which shall have been exhibited at any State, district or county fair held for the purpose of encouraging agriculture and the manufacture of machinery and agricultural implements; and the Auditor is directed to audit the claims for said premium upon the sworn certificate of the chief officer and treasurer of the Fair at which such goods, wares or merchandise were exhibited, and the affidavit of the person exhibiting the same, which certificate shall set out in full

the name of the exhibit, where and by whom grown or manufactured, and by whom exhibited; and the person claiming such premium shall also exhibit to the auditor the license granted under this section. There shall be but one premium to an exhibitor. The amendment failed.

An amendment from Mr. Boykin to conform section 40 to the decision in the State vs. Clark; 85, N. C. R., 555, was adopted.

Mr. Watson offered an amendment, that manufacturers of agricultural implements, of tobacco, or manufacturer of cotton gins, sheeting and cotton plaids, their license tax shall be fifty instead of one hundred dollars.

Mr. Scott, of Rockingham, said this was a very important amendment, and asked for the ayes and nays. Ordered. Ayes 9, nays 23; so the amendment failed.

Mr. Alexander in voting on the above bill said he was opposed to this whole system of taxation, but he could see no reason why this amendment should be put in, and he would vote no.

One of the committee amendments provides that the county commissioners shall levy no tax upon the liquor merchants, deeming the license tax, retailers less than a quart, \$80, from a quart to five gallons, \$50, over five gallons, \$200, sufficiently high, and that the revenue raised from this system would be greater than by the last.

Mr. Alexander was chairman of the Senate branch of the committee.

Mr. Watson offered an amendment to strike out the merchants tax. The amendment failed.

Mr. Scott, of Rockingham, offered an amendment to change the manner of collecting, so that the sheriff instead of the register of deeds should call on the merchants and collect their taxes. Failed.

Mr. Pinnix amended that to section 34 add the following at the end of sub-section 1: "Provided no person shall pay any State or county tax who sells spirituous liquors in quantities of a quart and less than two gallons. Strike out section 2. Amend sub-section 3, line 16, by striking out "five gallons" and inserting "two gallons."

Mr. Pinnix asked the yeas and nays. Ordered—yeas 16, nays 19, the amendment failed.

Mr. Lovill amended, that every person buying or selling cotton or naval stores, except regular merchants, shall pay a tax of \$5 for each county he may buy or sell or offer to buy or sell in. Failed.

Mr. Cozart amended, to strike out boarding houses. Failed.

Mr. McBane offered amendments. Failed. Bill on its second reading. Yeas 19, nays 15, so the bill passed its second reading.

The Senate concurred in the House amendments to the bill as to voting places in Wilmington, requiring the lots to be laid

off and the blocks numbered in large letters and advertised in the papers.

The House refused to concur in the Senate amendments to the Roanoke Navigation bill; the Senate refused to recede, and asked for a committee of conference.

Mr. Watson called up the bill to create a railroad commission, and it was made special order for to-morrow at 12:30. So ordered.

Adjourned.

HOUSE OF REPRESENTATIVES.

NIGHT SESSION.

TUESDAY, March 7, 1883.

To incorporate town of Shiloh, in Camden county, passed third reading.

To prevent live stock from running at large in Caswell county.

Messrs. Strudwick and Holt stated that the people of Caswell county had been asking this relief for thirteen years, and he hoped the House would heed their wishes.

Mr. Poe opposed the adoption of the bill.

An amendment to leave it to the voters of the county was voted down.

The bill passed second reading—yeas 47, nays 29.

Under the previous question the bill then passed third reading.

For the relief of James W. Lancaster, of Wilson county.

To prevent live stock from running at large in Kittrell township, Vance county, passed third reading.

To authorize Mira E. McCall, administratrix of R. R. McCall, to collect back taxes, passed third reading.

To incorporate Stanhope Academy, in Nash county, passed third reading.

To prevent obstructions in Swift creek, in Johnston county, passed third reading.

To provide for a two weeks court in Vance county, third reading.

To regulate the partition of real estate between tenants in common, third reading.

To protect the farmers of this State, third reading.

To prohibit sale of liquors within one mile of Mt. Tabor church, Columbus county, third reading.

To define the line between Carteret and Craven counties, third reading.

To repeal so much of chapter 253, laws of 1881, as relates to Alleghany county, third reading.

To authorize the board of commissioners of Beeklenburg county, to pay a certain claim, third reading.

To prevent felling of trees in Cheowa river, Graham county, third reading.

Concerning toll gates in Cherokee county, third reading.

To incorporate Forbush Union School, in Yadkin county, passed third reading.

Substitute for bill to repeal an act to incorporate Jonathan Creek and Town Mountain Turnpike, third reading.

To incorporate the Bank of Oxford, third reading.

To change the name of the Edenton and Norfolk Railroad Company, third reading.

To amend the Durham Graded School law, third reading.

To incorporate the Raleigh Water Works, third reading.

To prohibit taking oysters from Myrtle Grove Sound, in New Hanover county, third reading.

To establish a ferry across the Great Pee Dee river, in Anson county, third reading.

To amend an act authorizing the town of Warrenton to subscribe to the capital stock of the Warrenton Railroad Company, third reading.

To repeal certain parts of chapter 234, laws of 1881, third reading.

To amend an act to protect partridges and wild turkey in Warren county, third reading.

To incorporate Greensboro Water Works, third reading.

Relative to fishing in White Oak and New rivers, in Onslow county, third reading.

Relative to certain justices' dockets, third reading.

Act to incorporate Ashville Tobacco Warehouse Company, third reading.

To authorize commissioners of Lenoir county to lay off streets passed its third reading.

To protect new double track iron bridge across French Broad river, third reading.

For the relief of the Bergamon Manufacturing Company, third reading.

To authorize certain school orders in Northampton county to be paid.

To empower the proper authorities of Jones county to assign hands to work on Trent river, in said county, third reading.

To establish a public ferry across Waccamaw river, in Columbus county, near Pireway, third reading.

To authorize the town of Concord to issue bonds, third reading.

To incorporate the Israel and Priscilla Benevolent Society of Wilmington, third reading.

Resolution in favor of the Dixie Agricultural and Mechanical Society of Anson county. Third reading.

Resolution to pay the commissioners' expenses for selling the States interest in the Cape Fear and Yadkin Valley Railroad. Third reading.

SENATE CALENDAR.

To authorize the commissioners of Lenoir county to levy a special tax. Second reading.

To authorize the commissioners of Madison county to levy a special tax. Second reading.

To amend chapter 232, laws of 1879.

To prohibit fast driving over certain bridges in Greene county. Third reading.

To authorize the board of commissioners of Wake county to levy a special tax. [This is for the purpose of building a jail, and for no other purpose.] Second reading.

To authorize the commissioners of Cabarrus to levy a special tax. Second reading.

To drain the lowlands of Middle Fork Creek, in Forsyth county. Third reading.

To authorize the sheriff of Forsyth county to collect certain arrears of taxes. Third reading.

To secure the better drainage of the lowlands on Reedy Fork and Horse Pen Creek, in Guilford, and Haw River, in Rockingham county. Third reading.

To authorize the commissioners of Richmond county to pay certain school orders, third reading.

To amend the charter of the town of Winston, third reading.

To establish a public ferry on the great Pee Dee, third reading.

For the relief of the tax-payers in Wake county, third reading.

To amend the charter of the Granville Railroad Company, third reading.

To amend the charter of Greenville, Pitt county, third reading.

To amend the charter of the town of Laurinburg, Richmond county, third reading.

To change the time of holding court in the fourth judicial district, third reading.

CONCURRENCE CALENDAR.

To provide for the levying and collection of taxes. Referred to the finance committee.

To authorize the commissioners of Caldwell county to offer a reward for the killing of certain predatory animals. Concurred in.

To give twelve days for working the public roads in Beaufort county, third reading.

SENATE.

FIFTY-FIFTH DAY.

WEDNESDAY, March 7, 1883.

The Senate was called to order at ten o'clock, Mr. Boykin in the chair.

Bill to raise revenue.

Mr. Mcbane offered an amendment to section 33 "for such service the register to receive two cents for each name." Failed.

Mr. Strayhorn amended that the interest on the money (\$600,000) for the Western Road, invested in four per cent. bonds, shall go to the educational fund.

Mr. Cozart asked the yeas and nays. Ordered—yeas 14, nays 18; so the amendment failed.

Bill passed third reading—yeas 21, nays 15; so the bill passed.

Mr. Black, petition from citizens of Jonesboro township, in Moore county.

asking prohibition to be submitted to voters in township.

Bill to enlarge the stock law in Nash county passed third reading—yeas 20, nays 7.

Bill to amend chapter 175, laws of 1876-77, passed third reading—yeas 26, nays none.

Bill to incorporate Pollocksville, in Jones county, passed second reading—yeas 27, nays none.

Bill to establish graded school in Magnolia, Duplin county, passed second reading—yeas 26, nays none.

Bill to establish graded school in Washington passed second reading, yeas 30, nays 0.

Bill to prevent the obstruction of Neuse river, passed third reading.

Bill to establish a new township in Nash county, to be known as Red Oak, passed third reading.

Bill to prevent destruction of fish in Pig Basket creek and Steer creek, Nash county, passed third reading.

Bill to authorize commissioners of Warren county to levy a special tax passed second reading, yeas 31, nays 0.

Bill to incorporate the Seaboard Manufacturing Company, passed third reading.

Bill to incorporate Shiloh Lodge, I. O. O. F., Camden county, passed third reading.

Bill to prevent live stock from running at large in Caswell county.

Mr. Strayhorn offered amendment to leave it to the votes of the people, and asked the yeas and nays. Ordered. Yeas 13, nays 25, so the amendment was not adopted.

Mr. Strayhorn asked the yeas and nays on third reading. Ordered. (Several Republicans left their seats and went to the lobby, but the Senate just had a quorum.) Yeas 36, nays 1, so the bill passed second reading.

Mr. Strayhorn asked the ayes and noes on the third reading. The Senate refused. Bill passed third reading.

Bill to disqualify certain persons from giving evidence on old debts, (noticed in THE NEWS AND OBSERVER), passed third reading.

Bill to incorporate the Yanceyville Grand United Order of Benevolent Number Tens, passed third reading.

House resolution to pay the commissioners appointed to sell the State's interest in the Cape Fear and Yadkin Valley Railroad per diem and mileage of members while they were engaged in the State's service, passed third reading.

Bill to establish the line between Craven and Carteret, passed third reading.

Bill to change the time of holding the courts of the fourth judicial district. It gives additional terms to Cumberland, Robeson and Bladen counties.

Mr. Dortch opposed the bill; said the

time was fixed against the interest of the people of Johnston and Wayne.

Mr. Richardson opposed the bill.

Mr. McLean supported the bill; he said it was to the interest of the people of the three counties.

Mr. Black spoke in favor of the bill; he said it was to the public interest of the three counties.

Mr. Richardson moved to table the bill.

Mr. McLean called the previous question, and the bill came up on its reading. The yeas and nays were ordered—yeas 19, nays 13, so the bill passed its second reading.

The bill passed its third reading.

Bill for the relief of James W. Lancaster, of Wilson county, passed its third reading.

Bill to repeal certain parts of chapter 234, laws 1881, passed its third reading.

Bill to incorporate the Raleigh Water Works Company, passed its third reading.

Bill to incorporate the Greensboro Water Works Company, passed its third reading.

Bill to amend chapter 94, laws 1881, as to fence law; House amendment concurred in.

RAILROAD COMMISSION.

Bill to create a railroad commission came up as special order at 12 m.

Mr. Scott, of New Hanover, called for reading of the bill. It was read. (Pretty much the Pinnix "minority" bill, that has been published in full in THE NEWS AND OBSERVER.)

Mr. Pinnix explained that the only difference between this and the minority report of the Senate was as to the salary, from \$2,500 to \$1,500, and that the commissioners may in their discretion regulate freights and fares; and that the schedule may be taken as *prima facie* instead of sufficient evidence, as in the old bill.

Mr. Scott, of Rockingham, said this matter had been thoroughly discussed; that now was the time for this session or never to give such relief as the people asked, that amendments meant to kill the bill, and he moved the previous question.

Mr. Payne gave notice of amendments and hoped the previous question would not be called to shut them off.

Several Senators gave notice of amendments.

The Senate refused to call the previous question.

Mr. McLean offered an amendment that if the bill passed no member of this Legislature should be appointed on the commission. He opposed the bill without his amendments; he did not take water; was of the same mind still; if this bill could not stand the test when we had plenty of time it cannot do so now we were now doing everything in a rush; he was sorry to see a disposition to push this bill through under the gag law; in the first place he insisted on his amendments being adopted.

Mr. Alexander gave notice that he had a

substitute and two or three amendments to offer.

Mr. Webb asked Mr. McLean if he would vote for the bill with his amendment adopted.

Mr. McLean said he would lean to the bill a little more, but he would say he would not vote for it without that amendment. He said while he was no sort of a railroad man, that the railroad men were citizens here, and had invested their capital here, and we could not afford to place our heels upon them in this way.

Mr. Battle said he was not hostile to any of the railroads, but any amendment would have the effect of killing that bill, and he hoped that none would be adopted.

Mr. Watson said it was only his desire to speak to time. The amendment from the Senator from Robeson had been offered to the members from the lobbies, and if the enemies to this bill, who were thick around this chamber, could succeed in getting any amendment to the bill it would kill it. He thought the passage of this bill would settle the irrepressible conflict; that unless the bill passed it would send rasher men here two years hence.

Mr. Payne offered an amendment to have read. He said this bill, as it came here, was substantially the minority bill, save leaving the regulating of freights to the discretion of the commissioners. He was opposed to granting such powers to the commissioners when this Legislature could not delegate such power, and under his oath as a Senator he could not vote for what he considered a violation of the constitution of the land. It was a question of conscience with him. He was not opposed to a commission, and if those two sections were stricken out, and substantially the majority report was offered, he would heartily vote for it. He hoped some compromise could be made, and we could have a commission that would prevent discrimination.

Mr. Scott, of Rockingham, said so far as putting the gag-law was concerned, that he made the motion to prevent the very thing that was going on now. If it is a fact that North Carolina, with all her rights of sovereignty, of which she cannot divest herself, has not the right to control railroads chartered before 1868, then he submitted there was little use for another bill only to apply to new roads chartered since then. There was a clamor coming up from every class of people, young and old, and the better the class the louder the clamor, against the monopoly of railroads. So far as unconstitutionality is concerned, that question would be howled at in this chamber until such a bill as this could be passed, and if there was doubt of its constitutionality the courts could determine it.

Mr. Morehead called the previous question.

The Senate refused to sustain it.

Mr. Alexander then offered as a substitute the bill offered by Mr. Pemberton some days ago, and noticed in *The Observer*. It provides for one railroad commissioner, appointed by the Governor, at a salary of \$2,100, and a clerk appointed by himself at \$900, he to report all railroad matters to the Governor and Attorney General.

Mr. Alexander said there were two grades of commissions now in the United States, one relying on force, as in Georgia, etc., and the other relying on publicity to hold up railroad oppressions to the public gaze, and the Legislature to give the remedy, as prevailed in the Northwestern States. His people did not want the throats of railroad cut; they had made his county what it was, and now to come in here before a minority of the Senate and attempt to put such a bill through, he submitted it was not right. It required first-class talent for a railroad commissioner, and there was danger, if bill was passed, of men getting on it who couldn't make a schedule for a gravel-train.

Mr. Purnell read from the decisions laid down by Mr. Cooley in the last edition, showing that by passing this bill the Senate would be delegating to three men the powers that it did not have itself. He said he had not heard any clamor from the people. The records show that in the last Legislature this very thing was discussed, and the people, notwithstanding, have returned a very decent Senate here. They refused to call the previous question on this bill, and so Senators need not feel scared of that, he had no doubt they would all get back.

Mr. Watson said he would say one word more and then call the previous question: that this bill had come over here and every single Republican in the House had voted against it; he continued his remarks against railroad monopoly.

Mr. Loftin said so far as people complaining, they would continue to complain as long as railroads ran. You may pass commission bills till doomsday and you can't regulate a business, you had as well say to Mr. Tucker or to Mr. Andrews, "you shan't run your business your own way in the city of Raleigh."

Mr. Lovill said there were two or three reasons why he should oppose the bill; that the Senator from Union had read decisions that convinced him they had no right to interfere with such charters. He protested against this bill; his county wanted railroads and there was no clamor from his people against the railroads. There was no use for a law we cannot put on all corporations alike. It would drive capital away from the State.

Mr. Watson called the previous question. Mr. Mebane sent up an amendment.

The question first was on Mr. McLean's amendment as to commissioners applying their powers to regulating freights and fares of all the railroads in the State.

The yeas and nays were ordered. The vote was as follows:

YEAS—Messrs. Alexander, Black, Carter, Costner, Cozart, Dotson, Ebbs, Evans, Gray, Loftin, Lovill, Lyon, McLean, Mebane, Morrison, Neill, Payne, Poole, Purnell, Ramsay, Richardson, Toon, Webb, Woodhouse—25.

NAYS—Messrs. Battle, Boykin, Clarke, Dortch, Farmer, Goodwyn, Hill, Jones, King, of Pitt, Morehead, Pemberton, Pinix, Scott of Rockingham, Strayhorn, Watson, Whitford—16.

So the amendment was adopted.

Mr. McLean's second amendment, that no member of the Legislature shall be appointed on the commission; on that he called the yeas and nays. Ordered. Yeas 16, nays 21, so the amendment was not adopted.

Mr. Payne's amendment to strike out sections 11 and 12 of the bill. Yeas 10, nays 27, so the amendment was not adopted.

Mr. Mebane's amendment to elect the commissioners by the people. Ayes and noes asked. Ordered. Ayes 10, noes 31, so the amendment was not adopted.

Mr. Loftin's amendment, for the commissioners to elect a chairman, at \$3,000 salary, was not adopted.

Then the question was on the substitute offered by Mr. Alexander. Ayes and noes ordered. Ayes 21, noes 21.

The chair said: The substitute is adopted. There was applause. The bill passed second reading.

Mr. Morehead said he objected to the third reading.

The chair said the gentleman was too late in objecting, as the gentleman from Rowan was just then recognized in offering an amendment.

Mr. Ramsay's amendment was that instead of the Governor's appointing the commissioners they should be elected by the people.

Mr. Scott then moved to postpone the further consideration of the bill till to-night at 7:30. So ordered.

The Senate then went into executive session.

Mr. King, of Pitt, on the bill to pay Marion Cobb, said, or meant to have said, young Cobb was sick nine weeks, and not mortuus.

HOUSE OF REPRESENTATIVES.

The House was called to order at ten o'clock, Speaker Rose in the Chair.

BILLS.

Mr. Stanford, to change the time of holding the superior courts of Pender and New Hanover counties.

Mr. Myers, to authorize the commissioners of Mecklenburg county to appoint cotton weighers for the city of Charlotte.

Mr. Bailey, of Mecklenburg, to amend chapter 232, laws of 1879.

SPECIAL ORDER.

The bill to revise and consolidate the public school laws.

Mr. Robins offered a substitute for the committee's report.

Mr. Green, of Franklin, took the floor in opposition to this substitute; thought the substitute was exactly like the bill introduced by the committee, except in regard to the county superintendents, which the substitute proposed to abolish, and to this point Mr. Green directed the attention of the House. He thought his friend from Randolph was taking a step backwards. Any system of education without a head, in his judgment, was worthless. If there is any fault it is in the officer and not the office.

There was a spirit of education being developed and he was sorry to see any attempt made to shut the door against the youths of the State. It was said his pay was disproportionate to his labor; we provide to pay him \$2 per day for each day actually engaged. Under the old system the examiner was confined simply to this duty, but not so with the county superintendent, he had many other duties to perform besides examining teachers; he must fully acquaint himself with everything connected with the schools in his county, and counsel and advise as to what was best.

Mr. Robins spoke to his amendment, which provides for abolishing this office, and advocated its adoption on the ground that the present system absorbs much of the money for officers, while we are not able to raise funds to keep up schools to teach the poor children for four months in the year.

Mr. Powers, of Cleveland, was opposed to retrograding in so important a matter as education. There must be some organized system. In his county there were 100 school districts, with many different systems, before the county superintendent was appointed. Such an officer was needed. What could the State Superintendent do if he were deprived of his lieutenants. If we adopt the amendments of the gentleman from Randolph, we strike at the life blood of the system. It means going backward. It brings the institution into contempt—disintegration will set in—the system will be destroyed.

Mr. Green, of New Hanover, said: If we take up the last census and look at North Carolina, we find that ignorance has taken possession of the State. This office had worked well in his county, and did not desire to have it abolished.

Mr. McCotter did not desire to abolish this office, but had been instructed not to retain it.

Mr. Bullock said he came here prejudiced against the office of county superintendent, and admitted it was on account of want of information on his part. Since then, by talking with the committee on schools and fully posting himself, thought it was best to retain the county superintendent; that the cause of education had advanced because of this head; felt a great interest in this matter; when we strike at this head we break down the system; try it two years longer; so dear is the cause of education to me, that if I were instructed to vote to remove this officer I would resign my place on this floor first, even if I never came here again.

Mr. Stringfield said he felt a great interest in education. Every North Carolinian must blush upon seeing the census returns when he notes how low down the State stands in illiteracy; was strongly in favor of retaining this officer. For one he was not willing for it to go abroad, occupying the low scale in illiteracy that we do, that the Legislature of North Carolina would abolish this office. Give it two more years on probation, and the people will sustain us.

Mr. Lenoir offered an amendment to strike out, in line two and three, "to visit and inspect the public schools of his county regularly," and add, after the word "may," in line nine, the words, "with the concurrence of a majority of the school committee of the district in which he is employed," and by striking out all after the word "duties," in line thirteen.

This will retain the office of county superintendent, but not make it his duty to visit the public schools of his county regularly, and will require the concurrence of the school committee before he can suspend teachers.

Mr. Wilcox said he had failed to hear from the remarks of any gentleman upon this floor sufficient evidence to justify him in supporting the office of county superintendent. "My people en masse are opposed to it, and are clamorous for its abolition I shall, therefore, support the substitute offered by the gentleman from Randolph, which will entirely abolish this office, and unless North Carolina could furnish more money to run her public schools, the abolition of the superintendent, I consider, an imperative necessity."

Mr. Bailey, of Mecklenburg, moved to amend by adding at end of section "but such election shall be permissive, and not compulsory, so far as the county of Mecklenburg is concerned."

Mr. Glenn moved to amend by striking out all of section 41 down to the words "he shall advise" in the middle of line 3 and insert "it shall be the duty of the county

superintendent of public instruction to visit and inspect the public schools of his county whenever any school committee may request him in writing so to do."

Mr. Glenn said, "We are willing to pay him \$3 per day, for twelve days, to examine teachers, and if school committees write for him to visit school districts, was willing to pay him for as many days as his services were secured."

Mr. Harris, of Wake, and Mr. Hayes, of Robeson, made a few remarks in favor of the committee's report, urging that this office be not abolished; to do so would be injurious; had not had the office long enough to determine whether it was a failure or not.

Mr. Green, of Franklin, did not like to cut off debate on so important a question, but we must come to a vote, he therefore called the previous question.

The amendments were adopted with the exception of Mr. Bailey's, and on the question of the adoption of Mr. Robins' substitute it was lost—yeas 28, nays 55.

The committee's bill then passed its second reading.

Upon its third reading, Mr. Green, of New Hanover, offered to amend section 52 by giving teachers of third grade, \$15 per month, teachers of second grade \$25, and teachers of first grade \$40 per month. Lost. Bill then passed its third reading.

SPECIAL ORDER.

In regard to the draining of swamp lands in Duplin and Pender counties.

Mr. Stanford favored the bill; with the amendment he would offer the bill will be right and North Carolina well protected. The Attorney General and Governor had examined into the matter, and were satisfied the State would suffer no injury. The lands now are not worth ten cents per acre; if this canal is cut will sell for \$5 and \$10 per acre.

Mr. Stanford moved to amend as follows:

That before the board of education shall pay over to said Duplin canal company any part of the subscription they are authorized to make under this act, they shall satisfy themselves by oath of some officer of the county, and such other means as they may think proper; that said county has bona fide expended upon said canal a sum equal to the sum asked for from the board of education. That before the board of education shall pay over any funds to the said Duplin canal company, they shall require a justified bond in the sum of \$1,000 from the treasurer of said county for the faithful disbursement and accounting for said funds, and said board shall at the close of each month require of said canals an itemized statement of the expenditures of said company, and if said company shall fail to return an itemized statement as required by this act, it shall be unlawful for said Board of Education to make any fur-

ther advances or subscriptions to said canal.

Mr. Frayser was opposed to the bill. It was a private scheme. Had a letter read protesting against it. He had the cause of education at heart as much as any man; would do nothing to prevent funds coming into the educational fund, but this was a scheme that would do no good and he hoped it would be voted down. After a little further discussion the bill failed to pass.

The bill to encourage the building of a railroad from some point on the W. N. C. R. R. between Salisbury and Newton to the Tennessee or Virginia line via Taylorsville and Wilkesboro, was taken up.

Mr. Leazer explained the provisions of the bill. The recent sale of the Cape Fear and Yadkin Valley Railroad without guaranty for the construction of a branch in the direction of Wilkesboro and Patterson, leaves the people of that section without hope of railroad communication with the outside world. This bill proposes to aid any company chartered prior to 1868, leaving the W. N. C. R. R. at any point between Salisbury and Hickory, to penetrate the valleys of the upper Catawba and Yadkin. It provides that the \$55,000 accruing from the sale of the State's stock in the Cape Fear and Yadkin Valley Railroad, be loaned, not appropriated, to any company building a railroad from between the points designated on the W. N. C. R. R. via Taylorsville and Wilkesboro to Patterson, in Caldwell county; one-fourth to be loaned when the road has been graded to Taylorsville; one-fourth when it reaches Wilkesboro; one-fourth when it crosses the Yadkin river, and the remainder when it reaches Patterson; and no loan to be made in any instance till the bonds of the respective counties through which it passes shall have been deposited in the State treasury.

This bill offers some hope, and the only hope these isolated people have of getting any railroad, and they ask those of other sections who have enjoyed so much of the State's favors to come to their relief.

Mr. Bower said that he had not expected that this bill would be called up to-day, but was glad to welcome it. He concurred with the gentleman from Iredell in all he said. This bill did not ask an appropriation, but a loan to any company that will construct a road through the counties of Iredell, Alexander, Wilkes and Caldwell. "We ask the State to lend us the \$55,000, which the syndicate are to pay for the State's stock in the Cape Fear and Yadkin Valley Railroad. We offer you good security, the bonds of the counties interested, which, so far as I know, are at par. We have abandoned all prospect of getting a road through the syndicate, and we think this offers a reasonable prospect of a road sometime in the future. Our resources are varied and

vast. We have a salubrious climate, a well timbered and well watered section, abounding in mineral and agricultural wealth. I presume the members of this House are acquainted with the geography of the State, and if this presumption is right, then every one must be aware of the many inducements which this section offers for the construction of a railroad. I hope the bill will meet with no serious opposition."

Mr. Green, of Franklin, opposed the bill. North Carolina has tried for many weary years to disentangle herself from railroad corporations; had parted with all except the North Carolina Railroad. It was a bad precedent to set; this giving the bonds of the State in exchange for county bonds. When they come to be redeemed they would regard it as a son would a loan from a father. When the note become due they would feel that they ought not to be made to pay it.

Upon a vote being taken the bill passed its second reading.

Adjourned.

[NOTE.—We stated in yesterday's report that the town of Chadbourn, in Bladen county, had been incorporated. We should have said the town of Chadbourn, in Columbus county.

Mr. Stanford, of Duplin, took a great interest in the bill for the support of the State Guard, which passed the House yesterday. Mr. Stanford is always alive to anything affecting the welfare of North Carolina.]

SENATE.

NIGHT SESSION.

WEDNESDAY, March 7, 1883.

Bill to prevent live stock from running at large in Kittrell's township in Vance county, passed third reading.

Bill to incorporate the Carolina Wharf Warehouse and Compress Company, passed third reading.

Bill to incorporate Stanhope Academy in Nash county, passed third reading.

RAILROAD COMMISSION.

Bill to create a railroad commission came up as special order.

Mr. Watson moved to amend by striking out all after the enacting clause and inserting after that the House bill.

Mr. Ramsay asked that his amendment this morning to the bill be first considered. The amendment was taken up, proposing to elect the commissioner by the people. Mr. Ramsay spoke in support of his amendment. He said the people knew who to appoint better than we did.

Mr. Morehead asked if he didn't think if left to the people it would become political.

Mr. Ramsay said it might, but if left to the Governor it also might become political.

Mr. Morehead said he was opposed to the amendment.

Ayes and noes were called. Ayes 13, noes 23, so the amendment was not adopted.

Mr. Watson then sent forward his amendment, and explained that it would only include the House bill now on the Speaker's desk, shorn of all its amendments.

Mr. Morehead offered an amendment to strike out "appointed by the Governor with the consent of the Senate," and insert "elected by the General Assembly."

Mr. Alexander said they were willing to accept that.

Mr. Pemberton, the author of the substitute, said he hoped this amendment would be adopted. We seemed to be in a strait for time here, and as the mode of electing the commissioner was what was the matter with Hannah, (laughter), he was satisfied with the Legislature's electing aim, and hoped the amendment would pass.

Mr. Morehead said he would withdraw his amendment, but objection was made, and the amendment was put to the vote and adopted.

Mr. Womack amended to have three commissioners, as he thought with only one to elect this Legislature would be three weeks deciding the man, and with three they would harmonize in fifteen minutes.

The amendment failed.

Mr. Pinnix said this substitute amounted to nothing; he spoke against the idea of a one-man commission.

Mr. Alexander defended the substitute; he said the turning on the light on discriminations and violations of law is more dreaded by railroad corporations than would be of three commissioners who would have executive, legislative and judicial powers. The railroads dread hostile legislation, and this substitute will give the Legislature the information necessary to frame laws that will prevent the evils complained of.

Mr. Watson spoke for the original House bill; he regarded it as the only strong plan for giving the people relief.

Mr. Boykin said that the substitute provides that the commissioner shall report complaints to the Governor, and the Governor to the succeeding General Assembly. The Legislature for a month has been striving to control railroads in their tariff. If the Legislature now cannot control roads, and it has signally failed heretofore, how can it be hoped that the next General Assembly will be able to do it, upon the recommendation of the commissioner. He was in favor—as between the substitute of the Senator from Mecklenburg and the original bill—of the original bill. A commission is demanded and the substitute does not seem to confer plenary powers.

Mr. Watson's amendment was then voted on, and ayes and nays called. Ayes 15, nays 23; so the amendment failed.

Mr. Scott, of New Hanover, said he re-

garded a railroad commission a matter of great importance. Certainly it would behoove Eastern North Carolina. He gave instances of high freight. But his idea was that these commissioners should be elected by the people of the State, and unless elected he should vote against all the bills.

Mr. Battle said, while in favor of a railroad commission the bills were now so mutilated they were worthless to do any good, and he could not support them.

Mr. Morehead said the Senator from Nash after hearing his amendment would find something in the bill to support.

The amendment was that the commissioners should have power to regulate freights and fares.

Mr. Watson read a letter from Fetzner & Connor, of Concord, complaining of high freights.

Mr. Scott, of Rockingham, only wanted to express his regret at the course this matter had taken. He thought the country needed a railroad commission because it demanded one. Even if one was adopted now he doubted whether it would pass, as the tide was going out rapidly in the other House. The only relief he saw in reach was the amendment of the Senator from Guilford, and he didn't believe it was the temper of the majority here to adopt that. He spoke of the uselessness of the substitute. The hour was near at hand when the issue had to be made against these soulless corporations, and he said let it come, he for one was ready to meet it. He was like the old maid when she prayed, this substitute might be better than nothing if it can get through the House. He thought this bill a little worse than nothing and yet better than he had expected under the disposition shown by the Senate in this discussion.

Mr. Loftin said he had listened to the Senator from Rockingham with much pleasure. But when this bill came here this morning he resolved that we either had to take back steps or the bill should be tabled. We had consumed much time in this that should have been given to more useful legislation. He referred to the Senator from Rockingham calling the railroad soulless corporations; he said they did much good to the country, when one prospered the other prospered, and we should strike a medium between the two and try and do justly by both. He had never heard a man on the stump say he was for a railroad commission; it had never been mentioned in the canvass, and there were not twenty men in his district who made complaint so far as he knew. He took no stock in this cry of a fight between the railroads and the people.

Mr. Lovill called the previous question.

The first question was the amendment of the Senator from Guilford, that the commission should regulate freights and fares.

Ayes and naves called.

The vote was as follows :

AYES.—Messrs. Battle, Boykin, Clarke, Cozart, Dortch, Ebbs, Farmer, Gray, Hill, King, of Pitt, Loftin, Lovill, Lyon, McLean, Morehead, Neill, Pemberton, Pinnix, Poole, Ramsay, Richardson, Scott, of Rockingham, Strayhorn, Toon, Watson, Webb, Whitford, Womack—28.

NAYS.—Messrs. Alexander, Black, Carter, Costner, Eaves, Mebane, Morrison, Payne, Purnell, Scott, of New Hanover, Woodhouse—11.

Mr. Payne's amendment to section 3: Whenever in the judgment of the railroad commission it shall appear that any corporation has violated any constitutional provision of law, or unjustly discriminates in its charges for passenger fare and freight, or refuse to comply with the recommendation of the commission, he shall give notice in writing to such corporation, and if the violation or neglect is continued after notice, the commission may present the facts to the Attorney General, who is authorized to institute necessary proceedings.

Ayes and nays were called. Ayes 34, nays 3; the amendment was adopted.

Mr. Loftin said it was gravely stated this morning that to amend this bill would kill it, he voted aye.

Bill came up on its third and final reading.

Mr. Strayhorn asked the ayes and nays. Ordered.

The vote was as follows :

AYES.—Messrs. Alexander, Battle, Black, Boykin, Clarke, Costner, Cozart, Dortch, Ebbs, Farmer, Goodwyn, Hill, Jones, King, of Pitt, Lovill, McLean, Morehead, Morrison, Neill, Payne, Pemberton, Pinnix, Poole, Richardson, Scott, of Rockingham, Strayhorn, Toon, Watson, Webb, Whitford, Woonhouse, Womack—32.

NAYS.—Carter, Eaves, Gray, Loftin, Lyon, Mebane, Purnell, Ramsay, Scott, of New Hanover—9.

The report of the tellers and magistrates was adopted.

Mr. Loftin stated to the Senate that he had received a telegram announcing the death of Hon. R. W. King, in Lenoir, his predecessor in this body.

Bill to pay certain public school teachers in Northampton, passed its third reading.

Bill to protect the new double iron bridge across the French Broad river, at Asheville, passed its third reading.

Bill to prevent felling of trees in Cheochee river and its tributaries in Graham, passed its third reading.

Bill to change the name and amend the charter of the Edenton and Norfolk Railroad Company, passed its third reading.

Bill allowing two weeks for Superior Court in Vance county, passed its third reading.

Bill to authorize the commissioners of

the town of Lenoir to lay off streets, passed its third reading.

Adjourned.

HOUSE OF REPRESENTATIVES.

EVENING SESSION.

WEDNESDAY, March 7, 1883.

To authorize commissioners of Madison county to open a county road, third reading.

To change the time of holding court in seventh judicial district, third reading.

To prevent obstructing the passage of fish in Sandy Mush creek, in Buncombe and Madison counties, third reading.

To permit the presiding judge to extend the term of Craven court three weeks, third reading.

To prohibit sale of liquor in certain localities in Buncombe and Madison counties, third reading.

To allow J. T. Dawson, former sheriff of Halifax to collect arrears of taxes, third reading.

To drain the lowlands of Abbott's creek, in Forsyth county, third reading.

To equalize the school fund in Rutherford county, third reading.

Relative to stock law in Rutherford county, third reading.

To prevent the destruction of game in New Hanover county, third reading.

To amend the charter of town of Bethel, Pitt county, third reading.

To prohibit the sale of liquor within one mile of Wilson's Mills, in Johnston county, third reading.

To drain the lowlands of Spurgeon's Creek, in Davidson and Forsyth counties, third reading.

To cede to the United States certain wharfs in Wilmington, third reading.

To authorize the commissioners of Halifax county to fund and pay the debt of said county, second reading.

To authorize the commissioners of Lenoir county to levy a tax, third reading.

To authorize the commissioners of Madison county to levy a special tax, third reading.

To authorize the board of commissioners of Wake county to levy a special tax, third reading.

To authorize the board of commissioners of Cabarrus county to levy a special tax, third reading.

To amend the charter of Greenville, Pitt county, third reading.

Special order, for the completion of the Eastern Insane Asylum—(\$2,500 for the new wing)—third reading.

The report of the teller on the election of justices of the peace was received.

Mr. Glenn, a resolution to adjourn March 9. Adopted.

To amend charter of city of Charlotte.

(Allows the aldermen to elect the Mayor.)
Motion to table prevailed.

Mr. Glenn, a resolution—the Senate concurring—that this General Assembly will adjourn *sine die* on Friday the 9th of March, A. D., 1883, at 2 p. m. Adopted.

Resolution to compensate the clerks of the committees on appointment of justices, third reading.

Resolution in favor of doorkeepers and assistant doorkeepers, laborers and pages, third reading.

To protect stockholders of corporations, third reading.

To incorporate the town of Morgan in the county of Anson, third reading.

In relation to roads and highways. Pending discussion the House adjourned.

SENATE.

FIFTY-SIXTH DAY.

THURSDAY, March 8, 1883.

The Senate was called to order at 10 o'clock.

Mr. Alexander, as chairman of the finance committee, reported that the conference on the bill to raise revenue had concurred in all the Senate amendments save the one concerning marriage license. The report was adopted.

BILLS.

Mr. Poole, bill to prohibit the sale of liquor in two hundred yards of St. Andrew's church, in Tyrrell county.

CALENDAR.

Bill to incorporate Pollocksville, in Jones county, passed its third reading—yeas 30, nays none.

Bill to establish a graded school at Magnolia, in Duplin county, passed its third reading—yeas 29, nays none.

Mr. Ramsey, resolution of thanks to Lieutenant-Governor Robinson.

Bill to establish a graded school in the town of Washington, passed its third reading—yeas 28, nays none.

Bill to authorize the commissioners of Warren county to levy a special tax, passed its third reading—yeas 31, nays none.

Mr. Lyon, resolution of thanks to the officers and employees of the General Assembly.

Mr. Scott, of New Hanover, bill to amend chapter 23, Battle's Revisal.

Bill to authorize the construction of a public ferry across the Great Pee Dee, in Anson and Richmond counties, passed third reading.

Mr. Black, bill to amend section 4, chapter 35, of laws of 1881.

Bill to pay Confederate soldiers not worth a thousand dollars who have lost limbs—pays \$75 a year for leg off above the knee, \$50 below, or for an arm off.

Senators asked information as to how much the appropriation would be before they could vote for it.

Mr. Pemberton said he was informed in the House that it would take \$30,000 a year. He explained that the bill provides that the sheriff, the clerk of the court and the chairman of the county commissioners should constitute a board to pass upon who of these men should be entitled to it.

Mr. Battle said he hoped the bill would pass, it had all merit, and if it hadn't been for the soldiers we would have had no war. (Laughter.)

Mr. Watson offered an amendment making it the duty of the county commissioners to ascertain in each county the number of soldiers of the late war who would come within this pension list, and first report the number of same to the Secretary of State. He said we would then be prepared to know what to do, and not have to cut the garment with no idea of what to fit. He said if we were able he didn't think the bill even went far enough, and that it ought to be made an annual fund.

Mr. Pemberton hoped that amendment would not pass. He said as long as he was able to raise his arm or pay his taxes, he was going to stand by this poor unfortunate class. Are we to let these noble men die in the poor houses? It was not a pension; the man who called it a pension was a demagogue and a fool; it was a commutation, and the man worth a thousand dollars could not get it; it was only a pittance at best.

Mr. Battle said: "Is there a man with soul so dead who never to himself hath said, this is my own my native land." (Laughter.)

A Senator—I don't think there is.

Mr. Battle said this was but a simple matter of justice. He was standing by this bill, and hoped it would pass.

Mr. Whitford said if there was a man on this floor who had no sympathy with his class, and would not vote for this bill, he was not worthy to hold his seat. [Applause.] He had gone into the army when twenty six years of age, and he was not only for standing by these maimed soldiers, but by their widows and orphans.

Mr. Watson said: I send forward an amendment to include widows and orphans of soldiers killed in battle. Now, sir, if, after investigation, we find that we can, we should provide for both the maimed soldiers and poor widows. I have in my mind's eye now a poor widow struggling in poverty, whose gallant husband died by my side in one of the battles of the Wilderness. When I fought—not as an officer, like the Senator from Jones, but as a private—a boy without beard, and as such received wounds that would bring me within the provisions of the bill, but for the fact that by the blessings of Providence and my own exertions I am worth over \$1,000.

Mr. Richardson said if you would go to

his muster roll it would show as many maimed men who came out of Company C, 5th N. C. Regiment, as any company in the State. But he wanted to inquire about the cost of this matter, as these very men would want to know themselves how much money it would take, and not have it as our pension bill was—to go on increasing, from year to year. He was not opposed to the bill, was willing to vote for it, but wanted to know the cost.

Mr. Strayhorn said he had served in the war, and nine of his name had been killed from the county of Orange; he would do anything for the indigent soldiers, and the people at home would not see them suffer; but was it prudent for us to make this appropriation without knowing what the cost would be?

Mr. Black was not against the bill, but was for postponing it for two years and counting the cost.

Mr. Pinnix said he favored the bill, his people would not object to it. Every ten years a bill helping these noble soldiers in this way was popular with the people.

Mr. Boykin said he was in favor of the bill and should vote for it.

Mr. Webb was not opposed to paying the soldiers, but he wanted the bill to apply to all equally. He was opposed to this bill as it read. He could not vote intelligently on it.

Mr. McLean called the previous question.

The vote was taken on Mr. Watson's amendment. It was adopted by a rising vote; Mr. Poole in the chair deciding that the ayes and noes were not ordered.

Senators objected to the voting. Mr. Battle saying he had voted under a misapprehension.

Mr. Pemberton gave notice that he would enter a protest against the action of this Senate.

Motions to reconsider and points of order were made.

Bill came up on second reading. Ayes and noes ordered—ayes 32; noes 0; so the bill passed second reading.

Mr. Womack objected on the third reading.

Mr. Pinnix said the objection was too late—the bill had been read.

Mr. Womack said he made it before the reading of the bill. The chair so held.

Mr. Pinnix moved its third reading. Required a two-thirds vote.

Mr. Strayhorn made the point of order that a two-thirds vote had not been taken.

The effort of the friends of the original bill as it came from the House was to get the bill with the amendment, which they considered would kill it, on third reading, and then amend so as to strike out that amendment and pass the original bill, but it failed and went to the calendar.

Mr. Dortch, bill supplemental to the Code, passed its third reading.

Mr. Pinnix moved to suspend the rules and take up the soldier's bill on its third reading, and on that he asked the yeas and nays.

Mr. Strayhorn rose to a point of order, that the Speaker was debarred, under the regular order, and that the Senate had once refused to put that bill on its third reading by a two-thirds vote.

The chair decided against Mr. Strayhorn.

The yeas and nays were called on the motion to take up the bill—yeas 17, nays 21, so the motion to suspend the rules did not prevail.

Mr. Dortch, resolution that the two Houses take a recess at 12 m. on Saturday 10th day of March, 1883, to Monday at 11 a. m., the 12th day of March, 1883, and that the two Houses adjourn *sine die* Monday at 12 m.

Mr. Morehead was in favor of amending so as to take the recess from Friday at 2:30 p. m., instead of Saturday.

Mr. Dortch said that there might be important bills to pass on Friday.

Mr. Webb was in favor of Mr. Morehead's amendment, there were a number of Senators who in order to reach home would have to leave on Friday night.

Mr. Battle was against adjourning Friday, members should stay here, and let us not adjourn under whip and spur.

Mr. McLean asked Mr. Battle if he was not aware that the House had passed a resolution to adjourn Friday at 12 m. *sine die*.

Mr. Battle said they couldn't adjourn unless the Senate agreed.

Mr. Strayhorn was in favor of Mr. Morehead's amendment to take the recess from Friday to Monday, and called the previous question.

The resolution as amended was adopted.

Mr. Boykin, bill to amend section 1, chapter 327, of laws of 1881.

A message from the House stated that it had heard that the bill reorganizing the Board of Agriculture had not yet been ratified, and if so, that it would not be proper to go into an election of the members of the board at the designated hour, 12 m. today.

Bill to change a small portion of the line between Wilson and Edgecombe.

Mr. Farmer supported it.

Mr. Battle opposed it, and spoke earnestly and eloquently against it.

Previous question called. Ayes 25, noes 11, so the bill passed second reading.

Mr. Battle objected to the third reading. It required a two-thirds vote. Enough voting. So the bill was read the third time, and Mr. Dortch called the previous question. Bill passed third reading.

Mr. Scott, of New Hanover, made an

earnest appeal to the Senate to take up his bill preventing the magistrates in Wilmington from deputizing officers and put it on its readings.

The bill was taken up and amended only to apply to the counties of New Hanover, Craven, Mecklenburg and Wake, and passed its third reading.

Bill to amend section 1, chapter 327, laws of 1881, passed third reading.

Bill to incorporate the Chowan and Roanoke Railroad Company, passed third reading.

Resolution authorizing the trustees of the public library to furnish records touching the colonial history of this State, passed third reading.

Bill to incorporate the town of Shiloh, in Camden county, passed second reading—ayes 30, noes 0.

Bill for the completion and furnishing of the Eastern Insane Asylum, at Goldsboro, passed third reading. It appropriates \$2,500.

Resolution in favor of the principal and assistant doorkeepers of the Assembly, allowing \$75 each to principals, \$50 to assistants and \$10 each to pages.

Mr. Jones amended, to add John Lindley \$50. He explained that at the door of the House stands a one-armed man, who served in country, was at the siege of Vicksburg, also at Perryville; lost his arm, and there was a man of no better record at home, and had stood at that door in season and out of season.

Mr. Neill amended to add, "and John Cox, an employee of the Senate, \$50.

There was much debate on these propositions. The previous question was called.

Mr. Jones' amendment was adopted.

Mr. Neill's amendment was adopted. The question then came on the resolution on its second reading.

Mr. Strayhorn asked the yeas and nays. Ordered—yeas 22, nays 11, so the resolution passed its second reading and then passed its third.

Bill to revise and consolidate the public school law.

Mr. Pemberton stated that the joint committee had agreed on that bill in the shape it was; they had had much trouble; it retains the office of county superintendent and cuts down his pay to \$2 a day and restricts powers.

Mr. Purnell said \$2 a day would not pay the superintendent in Wake; he could not feed and hire a horse on that, and if the office was retained at that pay he asked to amend the bill not to apply to the superintendent in Wake, but to leave the pay \$3 a day in that county.

Mr. Alexander asked to include Mecklenburg, and other Senators asked to include their counties.

Mr. Pemberton said the amendments

would kill this bill for want of time. He hoped none of them would be adopted.

Mr. Webb said the county superintendent in his county (the county of Cleveland) had done much good since this bill passed, and he submitted that this bill virtually abolished that office—for instance, he had no right to visit the schools unless he was invited.

Different Senators voted the superintendents' pay \$3, and offered amendments to have it apply to Wake, Mecklenburg, Bladen, Henderson, Yancey, etc.

All the amendments were voted down and the bill passed as it came from the House and reported by Mr. Pemberton, the chairman of the committee.

Adjourned.

NIGHT SESSION.

Senate met at 7:30, President pro tem. Mr. Morehead in the chair.

The bill to revise and consolidate the public school law, passed its third reading.

Bill to regulate appeals from allotment of exempt property, passed its third reading.

Bill to declare the mother of children in certain cases their natural guardian; it makes it so that the mother can sue where the husband is dead and get the pay for services of her children, if necessary. Passed its third reading.

Resolution in favor of the Dixie Agricultural and Mechanical Association, passed its third reading.

Bill to prohibit the taking of oysters from Myrtle Grove Sound, in New Hanover county, passed its third reading.

Bill to protect partridges and wild turkeys in the county of Warren, passed its third reading.

Bill to allow all boats to carry freight to and from Gaston; failed for want of a quorum, the motion having been made to table and a rising vote taken.

Bill to incorporate the Bank of Oxford passed its third reading.

Bill to amend chapter 143, public laws of 1879, as to laying off a canal in Pender county, draining of Angola Bay passed its third reading.

Bill to amend section 3, chapter 173, laws of 1879, in regard to giving six soldiers with eyes shot out, (only six in the State,) five dollars a year. Mr. Watson said since then one of these was dead, and this bill increased their pay to ten dollars a year, passed its third reading.

Bill in relation to fishing in the waters of White Oak and New rivers, and the sounds between them, passed its third reading.

Bill to amend the law touching the seduction of women; in regard to pleading in civil action—not necessary to allege the relation of master and servant, in certain cases.

On motion of Mr. Womack, the Senate sent a message requesting to go into the

election of members for the board of agriculture at 9 o'clock to-night.

Mr. Scott, of New Hanover, had taken up the bill to allow any three Mondays to the clerk of New Hanover county, to carry his son north for amputation of his leg.

Mr. Purnell amended to strike out "any." Accepted. The bill passed third reading.

Bill to authorize Myra E. McCaull, administratrix of R. R. McCaull, late sheriff of Caldwell county, to collect back taxes, passed third reading.

Bill to establish public ferry across Waccamaw river, in Columbus county, passed third reading.

Bill to authorize the town of Concord to issue bonds passed second reading—yeas 27, nays none.

Bill to amend charter of town of Laurinburg, in Richmond county, passed third reading.

Bill relating to bringing stock from other States into this State passed third reading.

Bill authorizing the town of Warrenton to subscribe stock to Warrenton Railroad, and for other purposes, passed second reading—yeas 27, nays 1.

Bill to give twelve days for working the public roads in Beaufort and Tyrrell on ed third reading.

Mr. Clarke moved to table the bill, and on that he asked the yeas and nays. Ordered—yeas 18, nays 12; so the bill was tabled.

Bill to publish the reports of the supreme court; allows the Secretary of State to have them published in or out of the State, passed its third reading.

The clerk read the names of members recommended by the committee for the board of agriculture:

First Congressional district, R. W. Wharton—Beaufort county.

2nd. A. G. Brooks—Wilson county.

3rd. John R. Oates—Sampson county.

4th. W. F. Green—Franklin county.

5th. L. W. Anderson—Stokes county.

6th. John Robinson—Anson county.

7th. A. Leazer—Iredell county.

8th. Samuel Blanton—Cleveland Co.

9th. C. D. Smith—Wacon county.

Report was adopted.

Bill to prohibit liquor in one mile of Mt. Taber church in Columbus county, passed its third reading.

Bill relating to certain contracts for the lease and conditional sale of railroad equipments, and rolling stock, and providing for the record thereof, passed its third reading.

Bill to amend the Durham graded school, passed its third reading.

Bill to prohibit the sale of liquor in 200 yards of St. Andrew's church in Tyrrell county, passed its third reading.

Bill to repeal an act to incorporate the

Jonathan's Creek and Tennessee Mountain Turnpike Company, passed its third reading.

Bill in relation to the State's stock in the Atlantic and North Carolina Railroad Company.

Mr. Battle moved to refer the bill to the committee on internal improvements, and spoke against the bill.

The bill proposes appointing the Governor, Treasurer and Attorney General commissioners, with full power to sell, transfer or assign, or merge the State's stock in that road.

Mr. Whitford spoke in favor of the bill.

Mr. Dortch gave his deliberate opinion that it was highly important to pass this bill; he said the State owned thirteen hundred thousand dollars of the stock, that it was perfectly worthless and the road under mortgage, and the only way to save it from being foreclosed was to sell the road and let it be extended.

Mr. Whitford said he wanted to see this road go out of politics; he represented the tax-payers of eastern North Carolina, and his sentiments about the road were their sentiments; he said he was raised between the plow handles, and he represented the qualifications of five counties in the State and was proud of it, and his whole desire was to get this road out of politics.

Mr. Loftin said in the name of the people of Lenoir, who had paid fifty thousand dollars and the interest on this road, he asked they should have a hearing on this bill before it was acted on. The fact, he said, that this road was mortgaged had been known for years, and why had not this proposition been brought up before? He did not desire to be understood as opposing this bill, but under it the private stock was not protected, and before such a bill was passed he would like for the chairman of the board of county commissioners of his county to be heard; he might be in favor of it, and he was willing to stay here, if necessary to consider the proposition.

Mr. Richardson said this was a matter of much importance, and his people would like to dispose of this road, if to their advantage, but we hadn't time at this late hour to discuss this bill to-night, and he hoped it would be made a special order for to-morrow at 10:30.

Mr. Clarke hoped the bill would be referred.

Adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 8, 1883.

House met, at 10 o'clock, Speaker Rose in the chair.

The reading of the journal of yesterday was dispensed with.

BILLS.

Mr. Bailey, of Wilson, to change as mail

portion of the line between Wilson and Edgecombe counties.

CALENDAR.

Bill appropriating \$50 to the Penitentiary Sunday School passed third reading.

Act to authorize justices of the peace in certain cases to issue process to any county other than their own. Laid on table.

SPECIAL ORDER.

To encourage the building of a railroad from some point on the W. N. C. R. R., between Salisbury and Newton, to the Tennessee or Virginia line via Taylorsville and Wilkesboro.

Messrs. McCotter, Robins, and Forbis were opposed to the bill.

Messrs. Leazar and Harris, of Wake and Lenoir, spoke in favor of the bill. Passed third reading. [This bill was discussed at length in yesterday's debate.]

CALENDAR.

Bill to extend the time to redeem lands sold for taxes and bought by the State. Passed third reading.

Concerning the sale of spirituous liquors in Elizabethtown, N. C. Passed third reading.

To declare the mother natural guardian in certain cases. Passed third reading.

To prevent negligence about railroad cars. Passed third reading.

To authorize trustees of public libraries to obtain records of colonial history of this State. Passed third reading.

Act relating to certain contracts for the lease or conditional sale of railroad equipments, etc. Passed third reading.

Substitute to an act amending chap. 17, section 277, of the Code. Passed third reading.

To amend chapter 293, laws of 1881.

To amend chapter 165, laws of 1879. Passed third reading.

To amend chapter 143, laws 1879. Passed third reading.

To amend sec. 6, article 4 of the constitution, providing for an increase of the judges of the Supreme Court. Laid on the table.

In regard to the duties of State Chemist. Pending the discussion on this bill, the special order; to aid and provide for the completion of the Midland N. C. R. R., was announced.

A substitute was offered by Mr. Baum.

The consideration of this bill took up the balance of the morning session. Short speeches were made for and against and the order was not of the best kind.

Adjourned.

NIGHT SESSION.

THURSDAY, March 8, 1873.

The House met at 7:30 o'clock, Speaker Rose in the chair.

In regard to the publishing of the Supreme Court Reports, amended so that not more than fifteen numbers shall be published in any one year; that before having

said Reports republished the Secretary of State shall contract for the sale of at least one-half of the various Reports he proposes to publish at a price not less than the cost of publication, third reading.

Authorizing commissioner of Halifax county to levy a special tax, third reading.

Act supplemental to the Code, third reading.

To amend chapter 188, laws of 1869 70, third reading.

To incorporate the Albemarle and Roanoke Railroad Co., third reading.

Resolution in favor of the principal and assistant doorkeepers, third reading.

The election of the Directors of the new Board of Agriculture was then gone into.

The following are the names of the gentlemen recommended for this position by the committee:

R. W. Wharton, of Beaufort county, 1st district.

A. G. Brooks, of Wilson county, 2d district.

J. A. Oates, of Sampson county, 3d district.

W. F. Green, of Franklin county, 4th district.

L. W. Anderson, of Stokes county, 5th district.

J. Robinson, of Anson county, 6th district.

A. Leazar, of Iredell county, 7th district.

B. Blanton, of Cleveland county, 8th district.

C. D. Smith, of Macon county, 9th district.

Mr. Smith, of Wayne, placed the name of Louis Whitford in nomination.

Messrs. W. W. Lenoir, J. Evans and J. R. Thigpen received several complimentary votes.

This requiring the concurrence of the Senate, the result of the House vote was not announced.

The business of the House was temporarily suspended that some presentations of gifts might be made.

PRESENTATION.

Mr. McCloud, of Buncombe, on the part of the House, presented Speaker Rose an elegant silver service. In the course of his remarks he warmly complimented Mr. Rose for his urbanity, judgment and ability as a parliamentarian.

Speaker Rose said: I desire to return to you and through you to the members of this House my heartfelt thanks for this beautiful testimonial of appreciation and kindness. If there be anything as dear to the human heart as the consciousness of duty well performed, it is the fact that the duty has been performed at least to the satisfaction of those interested. We have been associated here together for the space

of sixty days very pleasantly, and I hope very profitably. During that time I have received nothing but the utmost kindness and consideration at the hands of the members of this House. At times my duties have been arduous, and though falling far short of meeting my responsibilities, I have endeavored to discharge them with fairness and impartiality, and now when the hour is fast approaching when we shall leave each other for our respective spheres in life, I can carry with me nothing but a pleasant remembrance of those courtesies always shown. I, sir, should be less than a man; I should not be governed by those principles that ordinarily govern human beings, did I not from my heart of hearts appreciate those honors, that kindness and consideration always bestowed upon me, and now you add another obligation to those I am already under. I accept this beautiful present, sir, feeling that the spirit that prompts its giving finds an echo in my own heart. Accept my thanks for the pleasing manner in which you have seen fit to present this gift, and be assured that when the years with me pass by and one by one enroll themselves in the cycles of the past, this night with its associations and its surroundings, with its memories, will be ever present in my mind.

Mr. Frayser said: It has been made my pleasant duty to say to you, Mr. Bower, on the eve of our separation, never perhaps to meet again, that your words of wisdom and power spoken in this hall within the last two months, have won the confidence, admiration and respect not only of the members of your own party, but even of those who differ entirely with you politically, and that they have conferred upon me the honor of presenting you with a cane, as a slight testimonial of their high appreciation of your noble, manly and self-sacrificing conduct, as evidenced here on more occasions than one, and in moments and under circumstances, too, which none but the brave, the patriotic and true could confront. Your speeches have demonstrated your undying devotion to the true principles of the government; that you have made the "Declaration of Independence" the ten commandments of your political faith; you have held that up as the gospel of the political regeneration of the world—the patriarchal testament of the founders and fathers of our nation. While you follow that document as your guide-star the number of your friends must increase, your sphere of usefulness and importance will widen until you will be called upon to fill not only places of State, but those of national distinction; and it may be, though that can happen to but few, sir, that the highest honor the nation can bestow it will be your privilege to enjoy. And now, sir, in behalf of the Republican party, though

not as a partisan, I present you with this cane, trusting that no wrathful, vindictive or inexorable impulse will ever compel you to tarnish it, but that you will use and wear it as an ornament in your youth and manhood, and as your prop and support in old age.

Mr. Bower said: I desire to say to you, Mr. Orator, and those for whom you speak, that although within the last hour I had some intimation of what has just occurred, your action is still a matter of surprise. In view of the short notice I received I am unable to express my thanks in the manner that I would like. I have no set phrase or adequate words with which to respond. My gratitude, however, is none the less unbounded, and I can assure you, sir, that though my tongue may be mute, my heart on this occasion is much more than eloquent. I accept this present as a tribute to that consideration which I have ever felt for those who differ with me politically. I have attempted so to act, in my legislative capacity as to merit the respect of the members of both political parties. I have been compelled in some instances to antagonize measures which were supported by a majority of those of my own party in this hall. I have done so from a sense of duty, both to my party and my country. If I have been instrumental by voice or vote in strengthening the cause of free representation and popular rights, I am amply repaid for my exertions upon this floor. Your action and mine upon this occasion, I trust will not be misconstrued. This act has no political significance, no concession of principle on my part is asked or expected. I accept your testimonial in the spirit with which it is presented. It is intended as a physical aid and support, as such I shall utilize and appreciate it. But I assure you, sir, that far above the intrinsic value of this staff, I esteem that kind personal regard and consideration which dictated its presentation. And now, sir, please accept my heartfelt thanks for this beautiful, though unexpected evidence of your kindness and generosity.

The business of the House was resumed.

Act to amend chapter 23, Battle's Revisal, passed third reading.

Act to amend chapter 337, laws of 1881, passed third reading.

Act to amend chapter 50, laws of 1839.

This relates to the State Geologist, and gives the new board control of the fund.

The discussion of this bill created the wildest disorder.

Several members refused to vote, which gave great trouble to the Speaker.

As to one member particularly, after many solicitations on the part of his friends without success, a resolution of censure was about to be introduced. This had

the desired effect, and the gentleman, after a personal explanation disclaiming any intention of disrespect to the Speaker, or any member of the House, voted No.

The bill failed to pass for want of a quorum.

Adjourned.

THE PENSION BILL.

On the bill granting pensions to maimed Confederate soldiers, which came up Friday night, Mr. Forbis, of the House, said: That as the discussion on this subject had progressed, his mind ran back to the stormy days of 1861, when the dark and dismal folds of war swung across the threshold of every Southern home. Our feelings then would have induced us to have voted them any amount to have shown them our appreciation of their patriotic sacrifice of leaving their homes and friends, and going into the fields of Virginia to face the fiery crest of war, where the sun of many of their noble young lives went down in blood, but the flight of time, which blots from the mind all the memories of the past, has filled our hearts and minds with indifference, and we are prone to forget the debt we owe them, and our promises to them—that they should ever be taken care of. Now, we have an opportunity to show them and the world that we still remember them and their services, and hoped that the bill would pass, and that every man in the House would vote for it. Said he for one would embrace the opportunity to show his appreciation by voting for the bill. He said who could read the history of Sergeant Jasper, who ascended the battlements of Fort Mifflin, and hoisted the stars and stripes when they had been shot down and had fallen outside of the parapet of the fort, and again planted them upon the wall without feeling a patriotic thrill swell his bosom to think that he belonged to the same race of men, and lived in the same country. He said many of those that we now see hobbling around on crutches, with armless sleeves dangling by their sides were just as much to be admired as Jasper, or any hero whose gallant deeds adorn the pages of history, and when we remember that they were thus disabled fighting for our homes and for the Southern cause, and then when we remember that the Federal soldiers are all provided for by pensions from the general government, and when we remember that our Southern boys are excluded from the beneficence of the general government, and not only those who fought in the late war, but even the old scarred and war-worn veterans of the Mexican war who followed Scott and Taylor, and planted the Stars and Stripes on the very capitol of Mexico, are excluded also under the present pension laws, if they happened to live in the South and sym-

pathized therewith—he said when all these things were remembered, how could we help doing something for the unfortunate in our State? He said he should certainly vote for the bill, and hoped every member on the floor of the House would do likewise.

SENATE.

FIFTY-SEVENTH DAY.

FRIDAY, March 9, 1883.

The Senate was called to order at ten o'clock.

Mr. Dortch's bill to regulate the fees of justices of the peace concerning the probate of deeds passed third reading.

Mr. Purnell, resolution to allow additional compensation to the clerk of the State board of canvassers.

Mr. Clarke, bill to change the name of the Fayetteville Mill Manufacturing Company.

Bill to protect the farmers of the State. Mr. Pemberton called it up. Passed third reading.

Bill to incorporate the town of Shiloh in Camden county, passed third reading; ayes 29, nays none.

Bill to authorize the town of Concord to issue bonds, passed third reading; ayes 34, nays one.

Mr. Green, of Franklin, spoke in support of the amendment of Mr. Sutton, to include negroes who worked on the fortifications, etc., and said that on the 1st of January, 1863, when the proclamation of Mr. Lincoln was flashed along the wires throughout the States of this Union, declaring the universal freedom of the colored race, it was expected and feared that widespread insurrection would follow; that the torch in the hands of the incendiary applied to the homes that sheltered the wives and daughters of Southern soldiers far away upon the field of battle, would light up the midnight sky—that the dagger in the hands of the assassin would be stained with the blood of helpless innocence. But no such result followed—no insurrection—no blood or crime resulted from this cause. Peace, order and quiet reigned as before, and the colored race remained true, faithful and devoted to the whites of the South. In remembrance of this meritorious conduct, I wish to express my sense of gratitude, and cheerfully cast my vote for the amendment.

Mr. Poole moved to reconsider the vote by which the bill to publish the Supreme Court reports passed its third reading yesterday. He said he understood it would cost the State about fifty thousand dollars.

Mr. Morehead asked where he got his information.

Mr. Poole said from the chairman of the finance committee.

Mr. Hill moved to lay Mr. Poole's motion on the table.

Mr. Poole asked the yeas and nays on the motion to table. Ordered—yeas 11, nays 19; so the motion to table did not prevail.

The motion to reconsider prevailed.

Mr. Morehead asked the reading of the bill.

Mr. Poole moved to postpone the bill indefinitely.

Mr. Alexander said it was the first time he had heard the bill read, and the cost he had made was derived from the data he had got from the House. With the amendments he now found to the bill it struck him it would cost about eighteen thousand dollars to the State.

Mr. Watson said the bill did not affect him in the least, as on his shelves at home were all the Supreme Court Reports. He reckoned he was about the youngest man on that floor.

Several Senators—Mr. Purnell and others—rose to a question of personal privilege on this—Mr. Morehead also correcting him.

Mr. Watson said that Father Time had brushed a croquet ground atop of Mr. Morehead's head. [Laughter.]

Mr. Morehead said it was the effect of early piety.

Mr. Poole said he rose to personal privilege—touching the top of his head—the Senator from Forsyth was reflecting on the Senator from Martin. [Laughter.]

Mr. Watson then seriously discussed the bill, saying:

"The young men in the State who were struggling along in the legal profession, and who are some day to be your judges, are deprived of the opportunity of learning wisdom from the opinions of Ruffin, Gaston, Henderson, Pearson and others of our great jurists, because the books that contain their opinions are out of print. The printing of the reports will not cost the State a cent that will not be immediately returned by the sale of the books. I have no interest in the matter personally, for a full set of the reports are now upon the shelves of my office.

Mr. Loftin said we should not, like Caligula, write our laws so high that the people could not get them; so far as he was concerned he had all these reports at home, but the young men of this country could not get them; and this bill would put them in their reach, and he hoped it would pass.

Mr. Pinnix said it was the duty of North Carolina to publish her laws to the people, so that the doctors, the farmers and the mechanics could read them. Why there was ten times as much law and information for the people in these reports as in the acts of this General Assembly; it was the State's duty to publish them, even if it did cost to do so; but this bill was so drawn that it would not cost the State a cent. The State

would get three-fourths of the amount before these books were published.

Mr. Poole said he opposed this bill because when he glanced around this chamber and saw the seats empty, North Carolina was not represented, and he was opposed to passing a bill that would take one solitary dollar out of the treasury right here on the last day of the session.

Mr. Hill supported the bill.

Mr. Womack said this bill was introduced in the House the 2nd of February. Mr. Poole replied that it only came to this chamber last night.

Mr. Strayhorn said if there was one thing the State of North Carolina was interested in it was having able lawyers to know the law. This bill was of great interest to the people, as it placed the tools in the lawyer's hands. He said there were forty Senators here last night and thirty-six here now.

Mr. Toon said he could see no necessity for the bill—was it reasonable to pass it—when the Senators here this morning did not know it had passed, and a few of them did not know what the bill was. We had no right to be guided by anything unless reason guided us and we should be above prejudice.

Mr. Alexander said that examining the bill he thought it would cost the State about two thousand dollars a year to have the reports published.

Mr. Poole held up a scrap of paper and said that the chairman of the finance committee said it would cost the State forty-six thousand eight hundred and seventy-five dollars.

Mr. Morehead asked on what the calculation was based.

Mr. Poole said he did not know; he only gave the statement.

Mr. Alexander said it was based on the bill without the amendment.

Bill on third reading. Ayes and noes ordered. Ayes 27, noes 7.

Mr. Whitford said he was nothing but a farmer, but he wanted all the information given to the people and the lawyers, and he was surprised that two lawyers on this floor should vote against that bill. He himself would vote aye. (Applause.)

Bill concerning the toll gates of Cherokee county passed third reading.

Resolution authorizing the directors of the Insane Asylum here to receive Thomas C. Lingell, of Union county.

Mr. Payne explained that the unfortunate man got to this city this morning, and under a recent act the asylum authorities had partitioned the State, and Union county was thrown in the western district, and the Morganton asylum was so crowded it could not receive him.

The resolution was adopted.

Bill came up as unfinished business re-

lating to the State's stock in the Atlantic and North Carolina Railroad.

Mr. Clarke moved to refer it to the committee on internal improvements.

Mr. Richardson said to refer this bill was to kill it. He said the Governor recommended the giving away of this stock in his message. He hoped a bill of so much importance to the people of the east would not be referred.

Mr. Watson hoped the bill would be tabled.

Mr. Pinnix moved to table.

The yeas and nays were asked on the motion. Refused.

The motion to table prevailed by a rising vote—yeas 22, nays 5.

Mr. Strayhorn moved to take up the motion to reconsider the bill supplemental to the bill to build the Governor's mansion (a bill that passed the Senate some weeks since, and on its passage it was stopped on the calendar with a motion to reconsider.) Mr. Strayhorn desired to take up this motion in order to have the supplemental bill sent to the House and passed.

Mr. Dortch said he was opposed to reconsidering, as he did not wish the original bill set aside.

The Senate refused to suspend the rules to take the motion from the table to reconsider. There was a rising vote of—yeas 18, nays 8—, but the Chair held that under the rules it required a majority of all the Senators elected to suspend the rules; so the bill to build the Governor's mansion is still the law.

Bill to amend section 3, chapter 240, laws 1874-75, passed its third reading.

Bill to authorize the commissioners of Mecklenburg county to appoint cotton weighers for the city of Charlotte, passed its third reading.

Bill to authorize the town of Warrenton to subscribe to the stock of the Warrenton Railroad, passed its third reading—yeas 30, nays none.

Bill concerning the great seal of the State, two and one-half inches in diameter, Liberty and Plenty facing each other, Plenty sitting down with three heads of wheat in one hand and the small end of a horn in the other, her hands extended towards Liberty, passed its third reading.

Bill to amend section 14, chapter 135, laws 1879, passed its third reading.

House resolution, to pay Thomas M. Arrington and W. C. Blackner, clerks of the Code committee. Amendments concurred in and the resolution passed its third reading.

Bill to change the name of the Fayetteville Manufacturing Company, passed its third reading.

Bill to fix the term of office of standard keeper; prescribes two years, passed its third reading.

Resolution concerning charitable institutions of the State—for appointing colored men as officers for the colored asylums. Adopted.

Bill in relation to roads and cartway, passed third reading.

Bill to amend the pharmacy act, passed third reading.

Bill to prevent fishing with nets in Haywood county, passed third reading.

Bill to extend the corporate limits of the town of Windsor, in Bertie county, passed third reading.

Bill to perfect machinery for counting votes for Senator in Warren and Vance counties, passed third reading.

Bill for relief of soldiers of the late civil war between the States. The chair said the substitute adopted was not on the calendar, and asked if any gentleman knew where it was.

The Senator from Davidson offered the original bill as it came from the House as the substitute.

Mr. Webb said he hoped it would not pass.

Mr. Morehead asked the yeas and nays. Ordered.

Mr. Pinnix said he hoped all in favor of giving the old soldiers this relief would vote yeas.

Mr. Scott, of New Hanover, said he could afford to vote for this bill, though he fought on the other side, and were it in his State north, he would expect his Senators to vote for such help to the Union soldiers, and he took pleasure in voting this relief to the brave men of the South, and he called on Senators not to get behind the scenes, but to come up like men and vote for this bill. (Applause.)

Mr. Richardson said these brave men never dodged in the war and Senators should not be dodging now. The vote stood, yeas 21, nays 5, so the substitute passed third reading. (It was sometime before a quorum could be had by sending to the side rooms for Senators.)

Mr. Watson said he would offer an amendment for the relief of the widows and orphans.

Mr. Poole said that amendment was to kill the bill, and not for the widows and orphans.

Mr. Watson's amendment was the same as yesterday.

Mr. Whitford said the amendment was to kill the bill. Pass it just as it is without the amendment.

Mr. Watson said he had no intention of killing the bill—it was an hour and a half to the adjournment. He was in favor of waiting two years longer till we could take the statistics and know how many there are.

Mr. Webb called the previous question.

Mr. Watson asked the yeas and nays on his amendment. Ordered.

Mr. Ebbs said he would like to vote for the amendment, but any amendment adopted now would defeat the bill. He would vote no.

Mr. Loftin said believing that the amendment would kill the bill, and wishing it killed, he would vote aye.

Mr. Scott, of New Hanover, said believing that the amendment would kill the bill he would vote no.

Mr. Toon said believing that the amendment would kill the bill, learning that even now the House had adjourned, he would vote no.

Mr. Richardson said he would vote for the amendment, but believed that it was offered to kill the bill. He voted no in hopes of getting something for the maimed soldiers who were struggling for a living.

The vote stood: Ayes 18, noes 11, so the bill passed second reading, and then passed third reading.

Bill to amend the law prescribing the duties of coroners passed its third reading.

Bill incorporating the Israel and Priscilla Benevolent Society, in Wilmington, passed its third reading.

Bill to prevent the putting of obstructions in Swift creek, &c., in Johnston county, passed its third reading.

Bill in relation to certain justices' dockets, in Orange and Durham counties, passed its third reading.

Recess to 2 p. m.

Bill to incorporate the Asheville Tobacco Warehouse Company, passed its third reading.

House amendment to Senate bill to extend the time to redeem land sold for taxes and bought by the State. Concurred in.

Bill to empower the authorities of Jones to work hands on Trent river, passed its third reading.

Resolution as to clerks of State canvassers, passed its third reading.

Bill regulating the partition of real estate between tenants-in-common, indefinitely postponed.

AFTERNOON SESSION.

At 2:20 the Senate re-assembled, Mr. Morehead in the chair.

Senate resolution came up from the calendar, resolving that the thanks of the Senate are hereby tendered to the clerks and other officers and employees of this body, for their arduous labors and the uniform courtesy and kindness with which they have discharged their various duties during the present session of this Legislature. The resolution was adopted.

Resolution of thanks to Lieutenant-Governor Robinson was then taken up.

Resolved, That the thanks of the Senate are due and hereby tendered to Lieutenant-Governor J. L. Robinson, for the able, courteous and impartial manner in which he has

presided over its deliberations during the present session. Adopted.

President Robinson returned thanks to the Senators for the warm and respectful manner in which they had treated him. He wished them all a safe and pleasant return to their homes, and long life and prosperity. He then declared the Senate adjourned until Monday morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

The House was called to order at ten o'clock, Speaker Rose in the Chair.

The reading of the journal was dispensed with.

CALENDAR.

Bill concerning the great seal of the State, third reading.

Bill in relation to the duties of State Chemist.

Mr. Robins hoped this bill would be withdrawn. It would be injurious and wrong in many particulars; would oppose it if pressed to a passage.

Mr. Myers at first thought it would interfere with the duties of the State Chemist, and, of course, opposed it. But now he understood that the department of the State Chemist was well supplied with the apparatus necessary for this, and that others connected with the department could make such analyses, and hoped it would pass.

Mr. Brown moved to lay the matter on the table. Adopted.

To fix a standard weight for a barrel of pork, third reading.

Bill regulating fees of Superior Court clerks, in certain cases, third reading.

To allow the clerk of the superior court of New Hanover county to be absent from his office at certain times, passed third reading.

To repeal section 27, chapter 32, of Battle's Revisal, passed third reading.

To furnish judges and solicitors of the State with copies of the laws of this session, passed third reading.

To require conditional sales of personal property where title is retained, to be registered, passed third reading.

To allow certain land in New Hanover county, sold for taxes, to be redeemed, passed third reading.

The joint committee on the election of directors for the new agricultural department, made their report, announcing the election of the following gentlemen:

R. W. Wharton—1st District.

A. G. Brooks—2nd District.

J. A. Oates—3d District.

W. F. Green—4th District.

L. W. Anderson—5th District.

J. Robinson—6th District.

A. Leazar—7th District.

B. Blanton—8th District.

C. D. Smith—9th District.

Bill to authorize the Governor to offer a reward for the apprehension of fugitives, passed third reading.

To amend chapter 104 of Battle's Revisal, passed third reading.

To amend section 2, chapter 10, private laws of 1870-71, passed third reading.

To fix the term of the standard keeper of the various counties. [Limits his term to two years.] Passed third reading.

Resolution in favor of the clerks of the Code committee, passed third reading.

To ask our Senators and Representatives in Congress to use their influence in having a canal cut from Alligator river through to the head of Broad creek, tabled.

To prevent the destruction of fish in Sandy creek, Nash county, passed third reading.

To amend laws of 1846, relating to Richmond academy, Richmond county, passed third reading.

To incorporate the independent order of Good Daughters and Sons of the East, passed third reading.

To appoint commissioners to lay off a public road in Iredell and Rowan counties, passed third reading.

To amend chapter 16, laws of 1870-71, passed third reading.

To incorporate the Southern Bonanza Gold Mining Company, passed third reading.

To give two extra terms of the Superior Court, of one week each, to the county of New Hanover, third reading.

To amend chapter 173, laws 1881, third reading.

Resolution concerning the charitable institutions of the State. [To employ colored persons, at option of the directors, except as applicable to the penitentiary guard], passed third reading.

To protect fish in the counties of Union and Anson, third reading.

To extend the corporate limits of Windsor, in Bertie county, third reading.

To amend an act incorporating the various insane asylums of the State, third reading.

For the relief of farmers in certain townships in Craven county. Tabled.

To regulate the purchases of the Insane Asylums, Penitentiary and the asylum for the Deaf and Dumb and the Blind. [Prohibits purchases from any one connected with their management.]

Mr. Wilcox said he could inform the House that Dr. Grissom, at whom this resolution seemed to be a thrust, was willing and anxious for the passage of such a bill. But, sir, I cannot allow such a resolution to pass this House, after the insinuations that have heretofore fallen from the lips of members, without entering my objection to its passage. I think, sir, that the long and eminent services of Dr. Grissom entitle

him to the highest respect of every member on this floor, and of every citizen of North Carolina. I therefore as his friend denounce the object of the bill, and shall persistently oppose its passage.

The bill was tabled.

Act concerning fishing with nets in certain creeks in Haywood county, third reading.

Act prescribing the duties of the coroners in New Hanover and Brunswick counties, third reading.

Mr. Williamson, of Columbus, asked that his name be recorded as having voted for Speaker and Chief Clerk of the House; he was not present in time to vote for these officers, owing to an accident on the N. C. R. R. at Goldsboro on the morning of the 3d of January, 1883.

The House here took a recess until 1:30 o'clock, to allow the clerk time to complete his journal.

Senate resolution to adjourn *sine die* on Monday at 12 m. was concurred in.

The House reassembled at 2 p. m., and the Senate amendment (to the pensions to maimed soldiers) allowing \$50 to each widow of a deceased soldier, who is still a widow, was taken up for concurrence.

Mr. Tate said he thought the House desired to act intelligently, especially on a subject like this involving a large expenditure of the public money. The amount already given for this object will be about \$60,000. As we were about to adjourn the Senate puts on an amendment that will kill the bill; had great sympathy for the unfortunate widows of our soldiers; he would be afraid to give any estimate of the additional sum that would be required if this amendment were concurred in, and, therefore, hoped the House would not adopt it. Let the responsibility be upon the Senate. Referred.

Mr. Stanford moved that the Senate be immediately informed of the action of the House.

AFTERNOON SESSION.

Mr. Tate, a resolution that no bill or resolution shall be considered by this House after adjournment to-day, but the business of Monday shall be confined to the ratification of acts and resolutions to and including final adjournment. Adopted.

Mr. Holton moved a vote of thanks to the Speaker for the able and impartial manner with which he has presided over this body.

A resolution of thanks to the clerks and officers was also introduced and adopted.

Mr. Ray moved for the roll-call. Sustained, and sixty-four members answered to their names.

Mr. Speaker Rose made a short address, stating that, as was expected, there had been some little transgression of order; but that he had never seen a better behaved

body of men in any assembly that he ever had a seat in. He wished them a safe return to their homes and a hearty welcome from their families.

Adjourned to Monday at 11 o'clock.

SENATE.

FIFTY-EIGHTH DAY.

The Senate was called to order by President Robinson.

The journal was read and approved.

The committee on enrolled bills announced many bills, which were signed by the President.

Senator Purnell, of Wake, introduced the following resolution:

Resolution to provide for the payment of the funeral expenses of C. N. B. Evans, late Senator from the twentieth district.

Resolved by the Senate, the House of Representatives concurring:

That the Auditor of the State, upon the exhibition to him of a duly certified statement of the burial expenses of the late C. N. B. Evans, Senator from the twentieth district, be authorized and he is hereby directed to issue his warrant upon the Treasury for the payment of such expenses. And upon the presentation to him of such warrant the Treasurer is hereby directed to pay the same out of any funds not otherwise appropriated.

Mr. Boykin said:

Mr. President, I cannot allow the session to expire without expressing my sentiments with reference to the resolutions introduced by the Senator from Wake concerning the memory of C. N. B. Evans, late Senator from the twentieth district. From my limited acquaintance with our deceased friend and fellow Senator, I formed this opinion of his character; that he was a man possessed of the courage of his convictions, and who loved labor for labor's sake.

Mr. President, the value of the services of a good man is incalculable. They are co-extensive with time, nay they are co-existent with the endless ages of eternity. When I have said this, I have said what Mr. Evans and every other good man is entitled to receive. After a long life of arduous labors and many sorrows, and doubtless disappointments, he has passed over the river, and I trust in God's tender mercies, is calmly and peacefully resting under the shade of the trees.

Mebane said:

Mr. President: I am aware that what I may say will not add materially to the eulogistic sentiments already expressed in the resolutions presented by the Senator from Wake (Mr. Purnell), but as one of the three representatives of the colored race in this chamber, I have thought it befitting to submit a few remarks on the life and character of the late Senator Evans.

In the early part of the year 1880 I began the publication of the *Carolina Enterprise*, a newspaper devoted to the material interest of the colored people.

The *Milton Chronicle*, then edited by Mr. Evans, criticised, ■ I thought, too severely my race. I then thought it my duty to write a defence, and did so, though in a spirit of mildness. At that time, Mr. President, I only knew Mr. Evans in a journalistic sphere; but now I think I know him well. I first met Senator Evans but a little more than two months ago. Since that time I have been associated with him almost daily, without intermission, on the committees on education and corporation, and I but do justice to his memory when I say that I learned to respect and to love him.

Although we differed in politics, I can truthfully say that on the committees he knew no party save that of right, and it may with equal truthfulness be said of him that one of his leading and governing traits was his love of justice. Senator Evans has been for several years the victim of a severe malady, which caused an impediment of speech, therefore he was no orator, but because of his speech being impaired, had no effect upon his judgment, and this was varied from the fact that the members of the committees always sought the advice of "Father Evans."

In order to get the benefit of Mr. Evans' judgment upon important matters effecting the State, the committee on corporations, especially, met often at his room. And I remember vividly, Mr. President, for it seems ■ though it was but yesterday; how frank, how attentive and how determined he was in all matters pertaining to the welfare of the people of this State.

In conclusion, Mr. President, I will simply add, that in the death of Senator C. N. B. Evans, the people of the 20th Senatorial district, lose an earnest and faithful representative, the journalistic fraternity a valuable associate and the State of North Carolina ■ life-long friend. But he has gone, Mr. President! In the language of the poet,

"Around us each dissevered chain
In sparkling ruin lies,
And earthly hands can ne'er again
Unite the broken tie."

Mr. President, I move that the Senate take a recess until one minute to twelve o'clock, out of respect for the memory of the late Senator Evans.

The resolution passed its several readings and the Senate took a recess until one minute to 12 o'clock, out of respect to the memory of Senator Evans. Upon the expiration of the recess the Senate met, and after remarks by President Robinson, in which he returned thanks to members and clerks, he declared the Senate adjourned "sine die."

HOUSE OF REPRESENTATIVES.

The House met at 11 o'clock, and was called to order by Speaker Rose.

The journal was read and approved.

The committee on enrolled bills announced many bill, which were signed by the Speaker.

The resolution to pay the burial expenses of Senator Evans, which came over from the Senate, was taken up and passed its several readings.

Mr. Lenoir offered the following resolutions:

Resolved, 1st. In the death of C. N. B. Evans of the Senate, this General Assembly has lost a member and the State a citizen of pure character and of life long devoted to his State and country, one whose loss will be felt throughout the State.

2nd. That a copy of these resolutions is ordered to be furnished to the friends of the deceased as a mark of the sympathy of the House in their great affliction.

Mr. Poe said:

MR. SPEAKER: I would be unjust to myself, to my feelings and to my constituents, were I not to add a tribute of respect to the memory of Hon. C. N. B. Evans, late a Senator from the 20th Senatorial district. Mr. Evans was from the county I have the honor to represent on this floor. I first met the late Senator on the 26th of October, in the year 1880. On that day I had addressed the people of Milton in advocacy of the election of the now lamented Garfield. The subject of our grief was standing near while I was speaking, and when I had done, he invited me into his office, kindly placed me on a seat near a warm fire, and handed me "The Chronicle." Though we differed in political opinion, his ways were so winning that I learned even then to love and respect the old man. I have been a reader of his paper from that day until now. Our relations have been pleasant. I met Senator Evans on the cars on the night of the 2d day of January, on his way, as I was, to the Legislature; after a cordial shake of my hand, he said in a trembling, but true voice, "Well, Poe, I am glad that you were elected, and I hope that you will have the interest of the people at heart."

Our relations with each other while here in this city were very pleasant; he would never meet me anywhere without shaking my hand, whether on the car, the street, in the Senate or in the hotel.

Mr. Speaker, I remember very well the day that he turned his face from the Senate Chamber and from this capitol for the last time. That day he came in this House to look for me in order to bid me adieu. I was here in my seat. I went out and bid him farewell. Little did I think that it was the last time that I should ever meet him. He was my friend, just and true; whatever po-

litical differences that we may have had are interred with his body.

It was evident to me whenever I would look at his trembling form that some fatal malady was drying up the springs of his life, and no doubt that others, like himself, thought that we would ere long be called upon to mourn his loss and to pay customary tribute of respect to his memory.

In the year 1829 Mr. Evans commenced the study of the printers' art at Yorkville, S. C., and in 1835 he commenced a journalistic career which continued to brighten with every year of his useful life, until it has thrown a bright lustre over the art of journalism in our State.

The *Milton Chronicle* found its way to almost every household in the surrounding country; it was admired by every one who read it, on account of its plain but lofty style of literature, wit and humor. All of those who read his paper or otherwise knew him, will mourn his loss.

Mr. Evans was no debater, but I would not be saying too much of him to say that he had few equals as a journalist. Few men, Mr. Speaker, have been so fortunate in securing the veneration, love and respect of the hearts of their countrymen as the late Senator, "father Evans." It is the sacred province of patriotism to guard the ashes and to perpetuate the memory of her beloved dead. Revolving years will never efface nor dim the illustrious examples of our buried heroes. Caswell county, in the death of Mr. Evans, loses one of her most distinguished lights, the mantle of journalism, one of its brightest peers, the State a great man, and the Senate one of its most talented members.

His was "a life account closed." Few men will ever reach the round in the ladder of journalistic fame upon which he stood. The Roman poet truly says:

"Non passunt primi esse omnes in omni tempore,

Summum ad gradum cum claritatis veneri
Consides aegre, et citius, quam ascendas,
cades."

Mr. Speaker, I can nothing add to the illustrious examples of the late Senator. He is gone.

"His soul, enlarged from its vile bounds,
- has gone

To that refulgent world, it shall swim
In liquid light, and float on seas of bliss."

The resolution was then adopted by the House, but owing to the hour of adjournment having arrived it was not sent to the Senate.

After Mr. Rose's remarks of thanks having been read by the clerk, the Speaker then declared the House adjourned without day.

ASSEMBLY SKETCH-BOOK.

SESSION 1883.

SENATE.

First District.

JAMES MONROE WOODHOUSE,

POPLAR BRANCH, CURRITUCK COUNTY, N. C.,

Was born in Currituck county on the 14th day of December, 1835, and is forty-eight years old. He received a common school education, studied no profession, and is a farmer by occupation. In 1867 he was appointed a justice of the peace for his county, and has held that position ever since. In 1861 he was commissioned Colonel of the militia of Currituck county, and after the fall of Roanoke Island in 1862, was for some time in active service with his command. After the war, returned to his duties on the farm and was successful. In 1868, was elected county commissioner. Was elected by the Democratic party as a member of the House of Representatives in the years of 1870-'72, 1874 and again in 1878. Was never beaten, and having a deep seat in the affections of his people he can't be beat. In 1859, the Colonel was united in matrimony with Miss Sarah M. Gallop, of his own county, and has six children living. He is one of the most popular men in his county, and the man has yet to come who can carry a larger vote than he can. As a representative of his people, he is ever watchful of their interests. Courteous, manly, dignified in his manners, and to his friends true, tried and confiding—to every one liberal to a fault—he is well known and liked by all who know him. He was a member in the House in 1879 and in the Senate in 1881, and his people still recognizing his worth returned him to the present Senate. His wife died March 26th, 1881. He serves on committee of Finance and is chairman of committee on Salaries and Fees and joint committee on Fish Interest.

W. W. SPEIGHT,

SUNBURY, GATES COUNTY, N. C.,

Son of John W. Speight, and was born in Gates county July 27, 1831. Educated at common schools. Married Miss Rebecca, daughter of Henry Hofter, June 28th, 1857, and has seven children living and one dead. Was in the war about three years, Company C, 52d N. C. Infantry, Hill's Corps. Was captured at Farmville, April 6th, 1865. Was elected on the Republican ticket over the former Senator, W. H. Manning, by 193 votes. Committees: Propositions and Grievances and Public Printing.

Second District.

WILLIAM WEYMOUTH THOMAS CAHO.

STONEWALL, PAMLICO COUNTY, N. C.

Born in Prince George county, Maryland, July 31st, 1847. He represents the Second Senatorial District, composed of the counties of Beaufort, Dare, Hyde, Martin, Pamlico, Tyrrell and Washington. Was elected by a majority of 527, leading his ticket, Democratic in politics, and twice elected to fill this position; the first time, in 1876, then leading his ticket by several hundred votes; has been Chairman of the County Democratic Executive Committee for eight years, and also member of the Congressional Executive Committee for several years; has held the office of Coroner in his county several times; was educated in a common school; twice married, first to Miss Fannie Augusta Hogan, of Thomasville, Davidson county, N. C., by whom he has one child—a daughter—now living, just eleven years old. Married the second time to Miss Appie F. Reddett, of Beaufort county, N. C. Served in war of the States in company "C," 68th Regiment, N. C. Troops. Obtained license to practice law in June, 1878. Chairman of the Senate branch of the Joint Select Committee on Redistricting the State, and served on the Judiciary Committee, the Committee on Privileges and Elections and on Military Affairs.

Mr. Caho is a gentleman of pleasant address, and good practical common sense, and the best of all, he knows how to properly use his fund of knowledge. He is editor and proprietor of the Pamlico *Enterprise*, and a faithful Democrat, and did much in Eastern Carolina towards holding the party together, and is making an efficient and valuable member.

THEODORE W. POOLE,

WILLIAMSTON, MARTIN COUNTY, N. C.,

Is one of the two Representatives of the second Senatorial District, (composed of the counties of Martin, Beaufort, Washington, Tyrrell, Pamlico, Hyde and Dare) was born on the 22nd day of November, 1844. His father was the Rev. William C. Poole, of the Methodist Protestant church. He was educated in the city of Baltimore. When the war between the North and South commenced he was living in Elizabeth City, N. C., and on the 4th of May, 1861, volunteered in Martin's company which was placed in the 17th N. C. regiment, and ordered to Oregon Inlet. Remained a short time at Oregon Inlet, then was transferred to the 8th N. C. Regiment commanded by Col. Shaw of Currituck co., which was stationed at Roanoke Island. Was captured at Roanoke Island by General Burnside, and placed on parole. After being exchanged he joined the Second N. C. Battalion (Col. Green's) and was stationed at Drury Bluff near Richmond. In the latter part of 1862, was transferred to Company C, First Maryland Calvary commanded by Col. Brown. The First Maryland Calvary was in Gen J. E. B. Stewart's command, and operated with Lee and Jackson in Virginia. Was engaged in the battles of Winchester, Sharpsburg, Fredericksburg, Brandy Station, Manassa, Trevillian Station, Gettysburg and in fact all the general engagements in Virginia, Maryland and Pennsylvania between Lee's army and the army of the Potomac. Was captured at Chambersburg, Pa., when that place was destroyed by the Confederates, and taken to Camp Chase near Columbus, Ohio, and kept in the military prison, until a short time before the surrender of Lee at Appomattox, was released on parole.

In 1867, went West, and settled at Omaha, Nebraska, then crossed the plains and settled at Cheyenne—a new town then just started at the foot of the Rocky Mountains in Wyoming Territory—on the Union Pacific Railroad. Was one of the first settlers of Cheyenne. In 1868, was elected a member of the City Council of Cheyenne by the

Democratic party by a handsome majority. In 1869, was elected Senator in the Wyoming Legislature by the Democratic Party. Came back to North Carolina on Jan. 1st, 1870, and married Susan E. Staton, daughter of McGilvery M. Staton on the 1st of February, 1870. After being married, traveled extensively through the Northern and Western states. Lived three years in Nebraska, Wyoming and Utah, during which time traveled extensively through the Rocky Mountains. In 1873, removed to Denver, Colorado, where he engaged in the Real Estate business. In 1876, returned to his old home in North Carolina, satisfied of the fact that there is no better place than the good "Old North State."

Has two children, both girls, one 9, and the other 11 years old. He is in politics—a red hot democrat. Was elected to the present Senate over a Liberal by a majority of 500 in a district that heretofore has been very close. On the committees of Internal Improvements, Finance, Claims, and Public Buildings and Grounds.

He is now a Druggist by occupation. He has made an active and energetic member, and his strong efforts in behalf of every worthy measure have been earnest and unceasing.

Third District.

GEORGE ALLEN MEBANE,

WINDSOR, BERTIE COUNTY, N. C.

He was ushered into existence on that national and patriotic day, July 4th, 1850, at Hermitage, in Bertie county. He is son of Allen Mebane. Was educated at the common schools of Pennsylvania. Was elected Senator in 1876, was census enumerator in 1880, and re-elected to the present Senate by a Republican majority of 1,200. Married Miss Jennie Mills Sanderlin, daughter of Robert Sanderlin, February 11th, 1877, and has three children. Served in the war as waiter in Company A, 85th New York Regiment of Volunteers. Serves on committees of Education and Cor-

porations. For the past two years he has been connected with the *Carolina Enterprise*, as one of its editors.

Fourth District.

J. J. GOODWIN,

HALIFAX, N. C.

Mr. Goodwin is an "out and out" Republican, and comes from an "out and out" Republican county, where his party has been in power ever since the war. He is a very careful and attentive member, and while he watches closely the good of his party, he does not forget the general good of the State. But to Mr. Goodwin's credit we will say that he is a man of independence, and has several times during this session "put his foot on" measures that other members less inclined to "tote fair" advocated in strong terms.

Fifth District.

ROBERT R. GRAY.

TARBORO, EDGECOMBE COUNTY, N. C.

Born on the Poke Island farm in Edgecombe county, May 28th, 1854. Son of Sandy and Bythia Battle. Received his education to some extent by attending night schools. Entered St. Augustine Normal School, at Raleigh, in 1872, but not having the funds to complete a thorough course left school in 1874. He taught school from 1873 to 1877. Farmed in 1878, but failing to find this profitable resumed teaching. Clerked in mercantile business at Killquick in 1880. Married Katie Smith, daughter of Edmond Folks, Dec. 7th, 1881. Elected by 505 Republican majority, Serves on committees: Salaries and Claims. His present occupation is that of a farmer.

Sixth District.

JOHN KING.

FALKLAND, PITT COUNTY, N. C.

Born in the county of Pitt in the year 1830; son of John King, and was educated at a neighborhood school; married and has seven children living, five boys and two girls; was

a Justice of the Peace before the war, hence was on the bench when the old County Court system was in vogue. Held the position of Overseer of the State Grange, 1881-'2, and at one time was Assessor of Tax in Kind.

Politics—Whig before the war, Democrat since; was elected to the House of Representatives by a majority of 311 votes. Was raised to the plow and clerking in a dry goods store; has steadily followed farming, and at intervals engaged in merchandise, and has succeeded well at both. Is member of the following committees: Banks and Currency, Deaf, Dumb and Blind Institute, Engrossed Bills, and joint committee on Fish Interest.

Seventh District.

JAMES S. BATTLE.

ROCKY MOUNT, NASH COUNTY, N. C.

Born May 30th, 1846, at Tarboro. Edgecombe county, N. C.; son of William S. Battle; educated at the University of North Carolina, at Chapel Hill. Mr. Battle, though quite young, has held prominent positions before. He is a Democrat, *true blue*. In 1876 he was a delegate to the National Democratic Convention which convened at St. Louis, and in 1881, he represented the 7th Senatorial District, the same position which he occupies now with his colleague, Mr. Farmer. He married Miss Johnnie Somerville, October 28th, 1868, (daughter of J. B. Somerville,) and is the father of five children. He is a gentleman of fine abilities and one of the handsomest men in that body. He enlisted in company G, 3d North Carolina Cavalry. Was soon promoted and served on the staff of Gen. W. R. Cox, as Aid-de-Camp, and was paroled at Appomattox C. H., he having surrendered with General Lee. He is Chairman of committee on Propositions and Grievances, second on the Finance committee, and second on the committee on Public Buildings and Grounds. By occupation he is a merchant and Manufacturer. Mr. Battle is a worthy gentleman and a good member.

W. W. FARMER.

WILSON, WILSON COUNTY, N. C.

Son of John Farmer, and was born February 15th, 1846, in the county of Nash. Educated at Wilson, and married

Miss Bettie Hart on the 9th of November, 1872. This is his first Legislative experience. He was elected on the Democratic ticket by a majority of 401 votes, makes an excellent record as an active worker, and is always found at his post. Good farmers generally make good legislators, and he is an acknowledged success as a farmer and as a legislator.

Eighth District.

WILLIAM E. CLARKE.

NEWBERNE, CRAVEN COUNTY, N. C.

Was born in Raleigh, March 7th, 1850. He is a son of Judge W. J. and Mrs. Mary Bayard Clarke. His mother is one of North Carolina's best female writers. He was educated at Davidson College. Was not old enough to enter service during the war, but near the close he was connected with the Quartermaster's Department. In the year 1866 he, with his father's family, left Raleigh and moved to Johnston county, and after residing there two years took up his abode in Newberne. For three years he was a teacher in the New York Institute for the Deaf and Dumb. This was very complimentary for a gentleman of his age to receive a position as teacher in such an institution. While connected with this institution he was also engaged in reading law. In 1873 he graduated at Columbia College, a noted and very high grade law school, after which he returned to Newberne, and has been practicing at that place and Goldsboro ever since. The Republican party, recognizing his ability, elected him to represent Craven county in the House of Representatives of the General Assembly for the session of 1876-'77, and feeling that the honor was worthily bestowed, reelected him to the same position in 1879. He was elected to the Senate in 1880 and again to the same position in the present General Assembly. He serves on committees: Internal Improvements, Deaf and Dumb and the Blind, and Railroad Commission.

Ninth District.

JOHN N. WHITFORD,

NEWBERNE, N. C.

Born May 4th, 1835, near Vanceboro, in Craven county. He attended South Lowell school, in Orange county, two

years. The greater part of his education, however, was received between the plow handles, and by studying at night and reciting to private teachers. He volunteered and entered the Confederate service the next day after Lincoln issued his proclamation for troops from North Carolina to protect the Union. He was in command of the battery which did the fighting at the battle of Newberne, March 4th, 1862, at which time he was fully initiated into the service of war. From Newberne he went to Old Brunswick Point, and from there to Kinston, where he was put in charge of the secret service, and made Major over three companies. Then his battalion was increased to eight companies, and he promoted to Lieutenant-Colonel. This command was on the frontier from the Trent to the Roanoke river, and was continually skirmishing with the enemy. He was wounded at Rainbow Bend, on the Roanoke river (one arm broke), but continued in charge, and stayed right with his men all the time, and never showed a disposition at any fight to take advantage of his position and get out of reach of the enemy, but was ever ready and willing to push forward. He was in fight at Kinston, Wise's Fork, Bentonsville and several others. He surrendered at Newberne two days after Johnson, and was perhaps the last command in the State to lay down the arms which had been used so faithfully, and many times effectively, for the protection of our glorious old commonwealth.

He married Miss Mary E. Williamson, November 28th, 1861, who died during the present session, February 6th, 1883. Has six children, three of whom are dead.

He serves on committees of Printing, Engrossed Bills, Joint Committee on Asylums, and is chairman of Joint Committee on Appointment of Justices of the Peace. He is a faithful and strong Democrat, and makes a good member.

Tenth District.

WILLIAM T. DORTCH,

GOLDSBORO, WAYNE COUNTY, N. C.

Born in Nash county, August 23rd, 1824. Educated at Bingham school. At the age of 17 commenced the study of law with the late Hon. B. F. Moore. Obtained county court license at 19 years of age; Superior Court license at 20. Elected County Attorney of Nash at 20 years of age,

and re-elected. Moved to Goldsboro in 1849. Elected County Attorney of Wayne. Elected to the Legislature from Wayne 1852, and continuously (except one session) until 1861. Elected Speaker of the House in 1860. Elected to the Confederate Senate in 1861, and served in that body during the war. Has held no office since the close of the war until 1879. He served in the Senate then, and again in 1881. Has devoted his attention since the close of the war to farming and the practice of law, doing probably the largest and most lucrative practice in the State. Tendered the office of Judge of the Superior Court by Governor Ellis in 1859, and declined. He is chairman of the Judiciary committee, and as such, had many arduous duties to perform during the present session.

When the Code Commission was established in 1881, he was made one of the three members of that Commission, whose duty it was to revise and consolidate all the laws of the State and so arrange them that they could be published in convenient shape. In this arduous work he spent much time, and the general approval which the Code has met at hands of this Legislature, shows that he and the other Commissioners, Messrs. John Manning and John S. Henderson, did their work well. He very seldom makes a speech in the Senate, but when he does speak, he always receives the attention of all within the range of his voice, for his arguments are always pointed and conclusive, and the force of which are always shown when the vote is taken. He is a man of fine personal appearance, excellent education, and of superior legal ability. These, combined with his other good qualities of head and heart, have won for him the esteem of all the members, and has given him quite an enviable influence in the Senate Chamber.

EDWARD J. HILL,

KENANSVILLE, DUPLIN COUNTY, N. C.

Born September 6th, 1857, near Faison, N. C. Son of Wm. E. Hill; educated at the University of North Carolina, at Chapel Hill; a Democrat, and was elected by a majority of nineteen hundred votes. Been an active and judicious member, ever watchful of the interests of his constituency. It seems to be the policy of the Democratic party to put forward young men, and in the selection of Mr. Hill they have

promoted a young man that promises to be an honor to Eastern Carolina, as well as his native county. He is the only graduate of the University under the recent organization that has held a seat in this body. He serves on the following committees: Code, Education, Magistrates, Library and Military. Mr. Hill is the youngest man in the Senate, and is a worthy and good Senator.

Eleventh District.

FREDERICK B. LOFTIN,

KINSTON, LENOIR COUNTY, N. C.

Born September 16th, 1855, in the town of Kinston, N. C., son of Elijah P. Loftin. Educated at Kinston, N. C. He is a Republican and was elected by a majority of 38 votes. Is a lawyer by profession—read law under A. J. Loftin in the town of Kinston, and attended Judge Pearson's law school, and at June term of Supreme Court, 1877, obtained his license to practice law and engaged in the practice of his profession to the date of his election to the Senate. Serves on the following committees: Claims, Insurance, Judiciary and joint committee on the Appointment of Justices of the Peace.

Twelfth District.

HENRY EPHRAIM SCOTT,

WILMINGTON, NEW HANOVER COUNTY, N. C.

Born in Geagua county, Ohio, October 24th, 1846. Was educated in Ripon, Wisconsin. During the war he served with Sheridan's army in the Shenandoah Valley as Master of Transportation. Moved to North Carolina in August, 1865, and located at Wilmington, where he still resides. He is quite a young man yet but owns a great deal of property in Wilmington, he being one of the largest tax payers in the city. He was appointed magistrate under the provisional government soon after the war and has been one ever since. He has had charge of the poor, sick and insane of New Hanover county for nine years. As an evidence of his popularity with his party, Republican, we will state that he was elected to the House of Representatives without opposition in 1879, was sent to the Senate in 1881, and re-

turned again this term. He serves on several committees and takes considerable interest in the discussion and consideration of measures that come before the Senate.

Thirteenth District.

R. H. LYON,

ELIZABETHTOWN, BLADEN COUNTY, N. C.

Mr. Lyon was born in Bladen county, and married Miss Sallie Lucas, of the same county. He has two children. He has been a Democrat up to the late election, at which time he ran as a Liberal and elected on that ticket. The greater part of his votes and his affiliation has been with the Republican party during this session.

Fourteenth District.

EDWIN T. BOYKIN.

CLINTON, SAMPSON COUNTY, N. C.

Born in Clinton, December 27th, 1854. Was educated at Trinity College, Randolph county, N. C. After taking a thorough course in law, he received license to practice in 1876. As a lawyer he has succeeded well, for he is a close student and a practical thinker and always studies his cases well, and then has the natural ability to argue his points in an effective manner. Notwithstanding the fact he is a young man, he has been Mayor of Clinton two terms and Chairman of the County Democratic Executive Committee three terms, and was a member of the House in 1881; and the people of Sampson, justly recognizing his worth, returned him to the Legislature as Senator by 526 majority. He married Miss Katie G. Bizzell, daughter of Dr. Henry A. and Celestial P. Bizzell, December 28th, 1876—his 22nd birth-day—and has two children, one three years old, the other one year old. He serves on Committees: Judiciary, Insane Asylum, Redistricting the State and Railroad Commission. He is a quiet but one of the best and most active and influential members of the Senate.

Fifteenth District.

NEILL A. McLEAN.

LUMBERTON, ROBESON COUNTY, N. C.

Son of Neill A. McLean, and was born near Red Springs, in Robeson county, November 9th, 1855. Educated at Bing-

ham's School. Read law under his father and at the University of North Carolina under the late Hon. W. H. Battle, and obtained license to practice at June term, 1878. Married February 19th, 1880, Miss Lizzie Townsend, daughter of Richard Townsend; has one child, a daughter. This is his first legislative experience, and has exhibited marked ability; can always be found in his place in the Senate; a vigilant member and a zealous Democrat. He was elected by about 400 majority. Serves on committees: Judiciary, Corporations, Propositions and Grievances, and Banks and Currency.

THOMAS FENTRESS TOON.

FAIR BLUFF, COLUMBUS COUNTY, N. C.

Born June 10th, 1840, near Whiteville, Columbus county. Son of Anthony Fentress Toon. Educated at Wake Forest College. Held the office of County School Examiner, Mayor of the town of Fair Bluff, and represented his county in the House of *Commons* prior to his election to the Senate. Married January 24th, 1866, Miss Carrie E. Smith, daughter of Alva Smith, of Fair Bluff. Father of five children, two boys and three girls. Served during the entire war; enlisted in Company K, Twentieth N. C. Regiment, Command Army Northern Virginia, Jackson's Corps; was wounded at Cold Harbor, Chancellorsville, Spotsylvania C. H. and at Cold Harbor; held the following offices: Brevet-Brigadier General, Colonel, Captain, First Lieutenant. Is on the committee on Insane Asylum, Insurance, and is chairman of the Committee on Military Affairs. A true Democrat, always at his post, and faithful to the trust his constituents have confided to him.

Sixteenth District.

D. MORRISON.

JOHNSVILLE, HARNETT COUNTY, N. C.

Was born June 8th, 1823, in Moore county. His education was limited to the common schools of the community. Married Miss Sarah C. Arnold. Had eight children—only three living. Had the misfortune of losing four children in one week during December, 1882, and then one more in

January of 1883. He was in the war two and a half years, Company D, Third Regiment N. C. Cavalry. By occupation he is a turpentine operator and farmer. Was elected by a Democratic majority of 205 votes.

Seventeenth District.

WILLIAM RICHARDSON.

SELMA, JOHNSTON COUNTY, N. C.

Was born in Johnston county July 31st, 1842, and is son of Mr. Lunsford Richardson. Received his education at Chapel Hill. Married Miss Mary E. Atkinson, daughter of Elijah Atkinson, June 6th, 1866, and has seven children. He served in the war from February 2d, 1862, until the close. Was Lieutenant of Co. C, 5th N. C. Regiment, in Robert D. Johnson's Brigade, Army Northern Virginia. He is a Democrat, and was elected by 123 majority. Committees: Engrossed Bills, Penal Institutions, and Agriculture. He is a farmer and has devoted much time and energy in that direction with good results. He has never been an office seeker, but his people saw fit to send him to the Senate this time, and we see no reason why they should ever regret it.

Eighteenth District.

THOMAS R. PURNELL.

RALEIGH, N. C.

Born August 10th, 1846, at Wilmington, N. C., son of Thomas R. Purnell, of Baltimore, Md. Educated at Hillsboro Military Academy and Trinity College. Married Nov. 16th, 1870, Miss Adelia E. Zovely, daughter of Dr. A. T. Zovely, of Salem, N. C., and is the father of four children. Politically he is a Republican and filled several prominent offices prior to his election to the Senate this time, to wit: Captain Topographical Engineers, C. S. A.; State Librarian; member House of Representatives in 1876-'77, and during the war, at one time, he was Master's Mate, in the C. S. Navy, and but recently he was U. S. Commissioner. Senator Purnell is on the following committees, viz: Code, Privileges and Elections, Deaf, Dumb and Blind Institution and Rules.

Nineteenth District.

HAWKINS W. CARTER.

WARRENTON, WARREN COUNTY, N. C.

Was born in Warren county March 23d, 1842, of free parents. Married Feb. 7th, 18—, to Miss Nannie Boyd of Warren county. He is a farmer by occupation. In public life he first appeared as a member of the House of Representatives in 1874; was elected by 800 majority. Was elected to the House in 1879 by about 1,000 majority. During the war he served as an attendant for Captain Jones in the 46th Regiment. Elected to his present seat in the Senate by a large majority. Committees: Agriculture, and Deaf, Dumb and Blind.

Twentieth District.

ISAAC R. STRAYHORN.

HILLSBORO, ORANGE COUNTY, N. C.

Born at Hillsboro, August 7th, 1845, and is son of Wm. F. Strayhorn, who was member of the House in 1856-57. He was educated at Chapel Hill, and graduated with the class of 1868. Served in the war as Drill Master in 1861, and as Sergeant of company H, 40th Regiment N. C. State Troops. He is a Republican in politics and is distinguished in his section as being the only white man in Hillsboro who voted for Grant in 1868. Notwithstanding he is from a Democratic district, he was elected by 170 majority. He is a very fairminded gentleman, and takes much interest in all legislation which comes up. Committee: Judiciary, Education, Corporations, Internal Improvements, Penal Institutions and Appointment of Justices of the Peace. In the event that the Railroad Commission Bill had become law—which was thoroughly canvassed this session—Mr. Strayhorn would, without doubt, have been the Republican member of that commission.

C. N. B. EVANS.

MILTON, N. C.

He went to Yorkville, S. C., in 1829, to learn the printing business. His first newspaper experience was in Virginia,

where he edited a paper for C. P. Green—during which time he wrote one article at the instance of the proprietor which caused a street difficulty—and the accidental killing of a man who was trying to keep the peace, caused Mr. Evans to have business outside of the State. His grandfather was a native of Wales and located in Virginia when he came to America, and was under Gen. Washington during the Revolutionary war, and took part in the battle of Guilford Court House. Mr. Evans' father was captain of a cavalry company in the war of 1812. Mr. Evans has in his veins on his father's side the blood of the Bonapartes and on his mother's side the blood of Mary Queen of Scots, but of this he says he cares but little so that he continues to have sufficient blood of some kind to keep him going until he wants to die. For many years Mr. Evans has been conducting the *Milton Chronicle*, which paper has become a household word in all of that section, and he has long had charge of the noted fool killer, "Jesse Holmes." He is known with all newspaper men throughout the State as "Father Evans." It was in opposition to Mr. Evans' wishes to come to the Senate, but his people demanded and he obeyed, and has made a good member. We could write a book about him, but the many good things which could be said will have to remain unsung.

Twenty-first District.

BENJAMIN H. COZART.

OXFORD, GRANVILLE COUNTY.

Was born March 4th, 1839, in the county of Granville, son of Allen Cozart, was educated at Tar River Academy, married Rebecca F. Rogers, daughter of Thomas J. Rogers, of Beaver Dam Creek, March 2d, 1864. Father of nine children, four of whom are dead. Senator Cozart held several offices of trust prior to his election to the General Assembly, as follows, to wit: Clerk of Superior Court of Granville, Mayor of the town of Oxford, Director of the Oxford and Henderson Railroad, and Treasurer of the Oxford Male and Female Academy. In politics he is a Republican of the radical type. With two opponents in the field, he was elected to the Senate by a majority of 221 votes. He belonged to Com. E, 14th N. C. Negiment, attached to D. H. Hill's command.

Twenty-Second District.

THOMAS B. WOMACK,

PITTSBORO, CHATHAM COUNTY, N. C.,

Born February 12th, 1855, at Pittsboro. After receiving an academic education he entered a store as clerk in 1870. After serving in this capacity for some time he concluded to study law, and in 1874 he fully determined to make this his profession. After two years study, under the great legal preceptor, Hon. John Manning, he was licensed by the Supreme Court, at its June term in 1876. He was elected Solicitor of Inferior Court in 1878, re-elected in 1880, and again in 1882. His continual re-election shows that he was very acceptable before his people and that he performed his duties faithfully. The good citizens of Chatham, recognizing his ability and worthiness, placed in his hands a greater trust by electing him to the Senate, which caused him to resign the position of Solicitor on the 5th of October, 1882. He married Miss Susie Taylor, daughter of ex-Sheriff Taylor, November 30th, 1881. He occupies his present seat in the Senate by a Democratic majority vote of 459 over Dr. G. K. Foust, the Liberal champion of that county. Mr. Womack is a bright and energetic young man and has done much good this session, reflecting much credit upon a worthy sire, the Hon. John A. Womack, who was the Democratic candidate for Secretary of State in the dark days of 1875. He serves on committees: Judiciary, Propositions and Grievances, and Redistricting the State, and is chairman of the Committee on Joint Rules.

Twenty-Third District.

HUGH REID SCOTT,

WENTWORTH, ROCKINGHAM COUNTY, N. C.

He was born in Rockingham county, and is now 27 years old. He is a son of William Scott and a nephew of Gov. D. S. Reid. Was educated at Wake Forest College and graduated there in 1875 in the degree of Master of Arts, receiving one of the two honors conferred upon his class. Went at once as a law student to Chief Justice Pearson, and received his license in the last class that Judge Pearson examined, which was in June, 1877. Since then has been in the firm of Mebane & Scott, engaged in the practice of the

law at Wentworth. Has served as Solicitor of the Inferior Court. He was first elected to the Senate for the session of 1881 and served the people of his district in a faithful manner—so much so that he was returned to the present session. Mr. Scott is a firm Democrat, a ready thinker, a practical reasoner and a good debater, and, being active and willing, does good service as a Senator.

Twenty-Fourth District.

J. T. MOREHEAD,

GREENSBORO, GUILFORD COUNTY, N. C.

Born in 1838, at Greensboro, N. C., son of J. T. Morehead. Educated at Rev. Dr. Alex. Wilson's school and at the University of North Carolina. Was a Colonel in the Confederate States Army, member of the House of Commons, 1866-'67, Senator and President of the Senate 1872, and again elected to the Senate in 1874. Served in the late war from April, 1861, until the surrender, in the 27th, 45th and 53d regiments. Was wounded at Gettysburg, Fisher's Hill, and at Hare's Hill on the 25th of March, 1865, and captured. He is a Democrat and was elected by a majority of 290 votes, is chairman of Senate branch of committee on the Code and on Penal Institutions. Mr. Morehead is a gentleman of marked ability, of most excellent judgment and of fine personal appearance.

Twenty-Fifth District.

JULIUS C. BLACK,

CARTHAGE, MOORE COUNTY, N. C.

Born August 18th, 1854, at Long's Mills, Randolph county, N. C., son of Dr. Thomas Black. Graduated at Trinity College June, 1874; read law under Judge Pearson, and obtained license June term, 1877; since that time has been engaged in the practice of law in co-partnership with Jas. D. McIver, Solicitor of 4th Judicial District, under the firm name of McIver & Black. He is a Democrat and was elected by 227 majority. On the following committees, viz: Judiciary, Privileges and Elections, Salaries and Fees, Banks and Currency, and Enrolled Bills. Mr. Black does not make many speeches, but considers questions well before he votes. He is a careful, safe and worthy Senator.

Twenty-Sixth District.

GEORGE ALEXANDER GRAHAM,

WADESVILLE, N. C.

Born in Montgomery county, April 1st, 1830. School advantages limited. In his early boyhood he served an apprenticeship as house carpenter. Moved to Mississippi in the year 1857. Volunteered and joined the Confederate service as a private member in company G, Grenada Rifles, of Grenada, Miss. His company joined the 15th Mississippi regiment at Corinth, from thence was ordered to Knoxville, East Tennessee. At this place he joined Gen. Zollicoffer's brigade. Was in the memorable Cumberland Gap Campaign. Was with General Zollicoffer when he fell at Mill Springs, Ky. After this battle he returned to Corinth. After the battle of Shiloh, was transferred to Gen. Breckenridge's division. Was at the first bombardment of Vicksburg. Was discharged from service on account of hemorrhage of the lungs. He returned then to Montgomery county, the place of his nativity; but as soon as his health would permit he again joined the service in North Carolina, and continued with the army until the surrender in 1865. He married Mary Jane Andrews, by whom he has six children. He was a candidate for the Legislature in 1865, but was defeated by a small majority. Was nominated by his party as a delegate to the Constitutional Convention of 1868 and elected by 235 majority. Was elected to the Legislature of 1869-'70 by 400 majority, and elected to the Senate in 1879 by 317 majority. He has served in his county as justice of the peace for ten years. Gov. Holden appointed him in 1869 as one of the Trustees of the State University, and at the same time was appointed as the State's proxy for the Western Railroad. His Republican friends desiring that he should serve them again sent him to the present Senate.

Twenty-Seventh District.

JAMES F. PAYNE,

MONROE, N. C.

Born 23rd September, 1848, in Westmoreland county, Va. Parents, James Harvey and Fairinda Payne. Educated at Washington College, Virginia; graduated in 1863. In 1869 studied law at Washington College under Hon.

John W. Brockenbrough ; completed the course in one year, and obtained the degree of Bachelor of Law. In 1870 obtained his license to practice in the courts of Virginia, and for some time conducted the practice of his profession in the county of Rockbridge, Va. Moved to North Carolina in 1873. On 12th November, 1874, married Miss Emily MacRae, only daughter and child of Alexander MacRae, of Argyle, Robeson county, N. C. In December, 1874, located permanently in the town of Monroe, Union county, N. C., and resumed the practice of his profession, having obtained his license from the Supreme Court of North Carolina in January, 1875. Was elected by a large vote in his district, without opposition. Is Chairman of Senate Committee on Insurance and Joint Senate Committee on Railroad Commission. Serves also on the following committees: Finance, Penal Institutions and the Code Commission. Mr. Payne stands well in his profession—the large practice which he has being an evidence of his ability and thorough knowledge in the legal profession. As a Senator he has been faithful and constant, ever ready and active in debates which arise from time to time. Notwithstanding the fact that this is his first legislative experience, he has thus far acquitted himself with credit to his constituency and State at large.

Twenty-Eighth District.

SAMUEL J. PEMBERTON,

ALBEMARLE, STANLY COUNTY, N. C.

He is a son of David S. Pemberton, and was born at Mt. Gilead, Montgomery county, July 12th, 1849. Was educated at Edinboro Academy, in Montgomery county. Married Miss Pattie F. Hearne, daughter of Eben Hearne, Esq., of Stanly county, July 6th, 1871, and has two sweet little children, one daughter, little Carrie Ashe, and one son, Henry Forest.

He was elected Solicitor of the Fifth Judicial District in August, 1874, as the nominee of the Democratic party, over A. R. McDonald, Republican ; and elected to his present seat over Dr. Solomon Furr, Liberal Democrat, by 1,190 votes. He serves on the Judiciary committee, and Deaf, Dumb and Blind committee, and is chairman of committee on Education, and chairman of Senate branch of committee on Enrolled Bills. He is dark haired, black eyed, handsome

man, of the most genial temperament and winning manners. He possesses an inexhaustible fund of humor, is endowed with excellent judgment, and a brilliant intellect, and bids fair to be a man of considerable prominence some day.

Twenty-Ninth District.

SYD. B. ALEXANDER,

CHARLOTTE, MECKLENBURG COUNTY, N. C.

Was born at Rosedale, in Mecklenburg county, nine miles from Charlotte, December 8th, 1840. Graduated at the University of North Carolina with the class of June, 1860. He entered the Confederate service as a private in Company B, 1st Regiment N. C. State Troops, on the 15th of April, 1861. His company was the well and favorably known "Hornet's Nest Riflemen." He served with the 28th Regiment from September, 1861, to April, 1862. He was then elected 1st Lieutenant of Company K, 42d Regiment, and in June was elected Captain of the same Company, and served in Virginia until December, 1864, when Hoke's Division was ordered to North Carolina. During the latter part of the war he served as Inspector General of Hoke's Division. After the hostilities between the States ceased he settled down to farming, and to day is one of the most successful farmers in Mecklenburg county. In this occupation he takes much interest, and is one of the few model farmers of Western Carolina. In 1876 he was elected a member of the Executive Committee of the State Grange Patrons of Husbandry, and in 1877 was elected Master of the State Grange, and *ex officio* member of the State Board of Agriculture. He was married in June, 1872, to Miss Nicholson, of Halifax county, N. C.

He was elected to the Senate in 1879, without opposition, and as a token of the faithful manner in which he served the people of Mecklenburg, he is here again as their Senator. He is one of the most substantial and trustworthy Democrats, and one of the best representatives of the farming interest. He is chairman of committee on Finance, and his experience and practical knowledge of financial matters makes him a valuable member in the consideration of all measures in which dollars and cents are counted.

Thirtieth District.

JAMES GRAHAM RAMSAY,

MT. VERNON, ROWAN COUNTY, N. C.

Son of Dr. Ramsay, and was born in Iredell county, March 1st, 1823. Married Miss Sarah J. Foster, of Davie county, September 30th, 1846, and has six sons and one daughter living. He settled in Rowan county in 1843. He was State Senator four terms, from 1856 to 1863; was elected to the Second Confederate Congress in 1863. On Board of Internal Improvements during Governor Worth's term; Republican Elector in 1872, and again in 1880. Elected to his present seat over his Democratic opponent by 123 votes. He held the office of President of the Board of Directors of the Insane Asylum in 1876; was Collector of Internal Revenue in the sixth district for one month in 1874, was President of the Rowan county Medical Society for two years since the war. He is by profession a practicing physician, having graduated at the Jeffersonian Medical College, of Pa., in 1848, and is the author of several literary, medical and other addresses, some of which have been published.

Thirty-First District.

MARSHALL H. PINNIX,

LEXINGTON, DAVIDSON COUNTY, N. C.

Born December 22d, 1835, son of Joseph Pinnix; educated at Chapel Hill. Married December 22d, 1875, Miss H. C. Baxter, daughter of Dr. O. F. Baxter, of Norfolk, Va., is the father of three children, all boys—fine fellows. Held the following offices prior to his election to this Senate: Clerk in the General Assembly, Sub U. S. Marshal, member of House of Representatives during session of 1874-'75 and 1876-'77, is a Trustee of the University of North Carolina, and was Mayor of the town of Lexington. Served in the war in the Quartermaster's Department. Is an unflinching Democrat and a man of undoubted ability, affable, pleasant manners, and of striking personal appearance; is serving on the following committees: Judiciary, Congressional Districts, Judicial Districts, and Chairman of committee Deaf, Dumb and Blind Institution; was excused from serving on Code, committee of Internal Improvements and Railroad Commission.

Thirty-Second District.

C. B. WATSON,

WINSTON, FORSYTH COUNTY, N. C.

Born in Stokes county, January 14th, 1844, son of Mr. John Watson. Received no collegiate education. Married Miss A. E., daughter of Mr. W. P. Henley, November 14th, 1869, and has four children. Served in the war between three and four years. Was Sergeant of company K, 45th Regiment N. C. State Troops, was wounded at Williamsport, Md., and Spottsylvania C. H. In politics he is a Bourbon Democrat, and his district gave him a majority of 1305 votes. He is on committees: Internal Improvements, the Code, Re-districting the State, Judiciary and several others. He is a fluent debater, a practical and hard working Senator, and in every way represents his district with much credit to himself and constituency.

Thirty-third District.

JOHN ADAMS HAMPTON,

HAMPTONSVILLE, YADKIN COUNTY.

Born at Hamptonville, Surry (now Yadkin) county, March 8th, 1836, is a son of Dr. John Hampton, who was a practicing physician of that place for over fifty-seven years. Was educated in the common schools of the country, and at Jonesville Academy in Yadkin county, under the management of Prof. W. L. VanEaton. Studied law in Yadkinville, N. C., under that learned and able lawyer, Hon. R. F. Armfield, was licensed by the Supreme Court in 1860 to practice his profession in all the courts of the State. Was a member of Company B, First Regiment N. C. State Troops, commanded by the much lamented Colonel M. S. Stokes, and our distinguished U. S. Senator, Lieutenant Colonel M. W. Ransom. Said company was raised and organized in Wilkes county, N. C., May 31, 1861, and was called the "Wilkes Valley Guards." Was promoted and commissioned 1st Lieutenant of the Company, and bravely bore his part in most of the hard fought battles of Lee's Army of Northern Virginia, remained in the service of the Confederate States until September 9th, 1864. When he was discharged by the army medical board for physical disability, was then appointed and commissioned by Gov. Vance Colonel of the

State troops of Wilkes county, N. C., and served in that capacity until the close of the war.

He was elected County Attorney for Yadkin county in the Spring of 1865 and served until the Fall of 1867, or until the County Courts were abolished. Was elected Enrolling and Engrossing Clerk by a joint vote of both houses of the Legislature at its session of 1865-'66, and reelected to the same position at the session of 1866-'67.

He married December 2d, 1872, to Miss Cynthia Caroline Brown, daughter of Rev. W. G. Brown of Yadkin county, N. C., by whom he has five children, all living. He has been a consistent, earnest and energetic Democrat since the war, laboring manfully to overcome the large Republican majority in his native county of Yadkin, which he did handsomely in the last election, carrying the county by 163 majority, being the only Democratic candidate who did carry the county in said election. The Democratic Senatorial Convention of the 33d District composed of the counties of Surry and Yadkin, which assembled in Rockford, Surry county, on the 8th of October, 1882, unanimously nominated him for the State Senate. He made an able and vigorous canvass of his district, and was elected by 254 majority over Lacy J. Norman, Republican and Liberal of Surry county.

As a member of the Senate, he is prompt and faithful, always at his post of duty, rarely, if ever, failing to respond when a vote is called for, is bold, independent and fearless in his votes upon all questions of interest to his constituents. He is appointed on the following committees: The Judiciary, Insane Asylum, Corporations, Claims, and joint committee on the Library.

Thirty-fourth District.

JAMES F. DOTSON,

ELMWOOD, IREDELL COUNTY, N. C.

Born on Buffalo creek in Cabarrus county. Son of Thos. J. Dotson. Educated at Coddle creek and Concord Academies. Has been married twice; first to Miss M. I. Gay, of Iredell county in February, 1861, and the second time to Mrs. M. M. Eagle, of Newton county, Mo., in 1874. His last wife is cousin to the celebrated Rev. Dr. Munsey, of the M. E. Church South. He has six children. He has been serv-

ing the people of his community in some way or other ever since the war. Was Magistrate from 1868 to 1883, and a County Commissioner from 1878 to 1880. Was in the Confederate service during the late war nearly all the time; in Company B, Forty second Regiment, Kirkland's Brigade, Hoke's Division. He holds his present seat by 543 Democratic majority. Is on committees: Privileges and Election, Insurance, and Agriculture.

ROMULUS Z. LINNEY,

TAYLORSVILLE, ALEXANDER COUNTY, N. C.

Was born in Rutherford county, on the 26th day of December, 1842. Educated at York's Collegiate Institute and Taylorsville Baptist Institute. Mr. Linney was a State Senator in 1870-'71, also in 1874-'75. In December, 1866, he married Miss Dorcas A. Stephenson, a daughter of Jas. F. Stephenson, Esq., of Alexander county. Served in the war between the States in company A, 7th regiment of N. C. State troops; was wounded at Chancellorsville and discharged from service on account of permanent character of the wound. In politics Mr. Linney is a Democrat, and at the present session of the General Assembly he serves on the committee on the Code, Penal Institutions, Propositions and Grievances, and Finance. Mr. Linney is a lawyer by profession and is regarded as one of the best in the whole western part of the State. As a legislator, he has made his mark as a careful, conservative man, a good debater, and a sound logical reasoner. He is a bold, aggressive man when occasion requires, and it takes neither a prophet nor the son of a prophet to see that he is destined to rise to the highest places in the gift of the people.

Thirty-Fifth District.

EDWARD FRANCIS LOVILL,

BOONE, WATAUGA COUNTY, N. C.

Son of Wm. R. Lovill, and born in Surry county, February 10th, 1842. Was educated at East Bend, in Yadkin county. Married Miss Josephine L., daughter of Mr. R. E. Marion, February 15th, 1866, and has four children. Was in the war from May 4th, 1861, to April 9th, 1865. Was Captain of Company A, 28th Regiment N. C. State Troops,

Lane's Brigade, Army of Northern Virginia. He was wounded three times—at the battle of Gettysburg, Reams' Station and Jones' Farm. He is a good and solid Democrat and was elected by 303 votes majority over his competitor. Serves on committees: Agriculture, Banks and Currency, and the Deaf, Dumb and the Blind Asylum. He watches close the interest of his mountain country and every other measure that comes before the Senate.

Thirty-Sixth District.

J. R. NEILL,

BALD CREEK, YANCEY COUNTY, N. C.

Born April 13th, 1823, in old Buncombe, son of George C. Neill, has a common school education, married twice and has four children, held several minor offices prior to his election to the Senate, to-wit: Clerk of Court of Equity and County Surveyor. Mr. Neill is a Democrat and was elected to the Senate by a large majority. He is an earnest and good man, a successful farmer, has devoted special attention to fruit growing, has a large nursery and quantities of excellent fruit. Is on the committees of Agriculture, Claims, and Corporations.

BARTLETT ALEXANDER BERRY,

MORGANTON, N. C.,

Was born in Burke county February 1st, 1830. His educational facilities were limited to the home country schools. Like many young men of the present day, he was not content when he grew up to manhood until he took a trip West. At the age of 22 he left the "Old North State" for the gold regions of California, and on his way to and from the "great State of the West," he touched at and remained for some time at Havana, Cuba, Panama, on the Isthmus of Darien, Aspinwall, New Orleans, and several other noted places. In the year 1856 he became convinced that the great places of the south and west, with all their attractions, could not furnish him a home with as much contentment as his native county, so he returned and engaged in agricultural pursuits. Farming has been his chief occupation ever since he permanently located, though much of his time has been devoted to the manufacture of flour and lumber. He now

has some good flouring and saw mills on his farm near Morganton. Soon after his return from the West he became firmly convinced that there was one thing needed to complete his happiness, so on the 2d day of June, 1857, he led to the hymenial alter Miss Mira A. Hennessee, of Burke county. He has been identified with the county affairs of Burke for a number of years. In August, 1860, he was elected Sheriff of the county and served his people in that office for ten years. Been County Commissioner for some four or five years. Was elected to the House in 1879 and elected to the present Senate by 530 majority. Committees: Propositions and Grievances, Salaries and Fees, and Asylums, and is chairman of the committee on Agriculture.

Thirty-Seventh District.

AMBROSE COSTNER,

LINCOLNTON, LINCOLN COUNTY, N. C.,

Was born June 14th, 1825, near Dallas, Gaston county, N. C., son of Jacob Costner. Married March 18th, 1846, to Miss Catharine Quickel, daughter of Michael Quickel, and is the father of eight children, seven of whom are living. Senator Costner has had much experience as a legislator, having served four terms in the House of Representatives at sessions 1858-'59, 1862-'63, 1863-'64, and represented his district in the Senate at the session 1874. He is modest and unassuming in his bearing, yet he is always found at his post and faithful in the discharge of his duties. He is a Democrat and was elected by about nine hundred majority. He was educated at country schools at various points in his district. He held minor offices prior to his legislative career, such as Justice of the Peace, and at one time he was Judge Advocate of a regimental court martial. He is by occupation a successful farmer and manufacturer.

Thirty-Eighth District.

JAMES LANDRUM WEBB,

SHELBY, CLEVELAND COUNTY, N. C.

Born Nov. 12th, 1854, in Rutherford county, N. C. Son of Rev. G. M. Webb. Educated at Wake Forest College. Was Mayor of the town of Shelby for 1880-'81. Married

February 14th, 1878, Miss K. L. Andrews, daughter of Dr. W. P. Andrews. Father of two children, a son and a daughter. A Democrat, and was elected by 670 majority. Is on Judiciary, Insurance, and is Chairman of Committee on Claims. He studied law at Judge Pearson's Law School, was admitted to the bar, and is now the senior partner of the law firm of Gidney and Webb, of Shelby, and is rapidly rising in his profession. He is recognized as a courteous and christian gentleman, and while only 28 years of age, has already acquired the reputation of being a good speaker and a party leader. He was sub-electror in 1880, and rendered his party good service.

Thirty-Ninth District.

JOHN BAXTER EAVES,

RUTHERFORDTON, RUTHERFORD COUNTY, N. C.

Born June 3d, 1838. Educated in Rutherford county under Mr. Frank I. Wilson. Was a merchant until 1862, opposed secession and voted against the Convention of 1861. Entered the Confederate service in March, 1862, as Captain and served until the surrender. Was wounded March 16th, 1865, at Averysboro, N. C. Was elected County Court Clerk of Rutherford in 1863 and served till 1868. Elected State Senator as a Republican from Rutherford, Polk and Cleveland in April, 1868. Was Assistant United States Assessor for four years. Elected State Senator in August, 1878, by 400 majority, reversing a majority of 400. Married Miss Johnnie Logan, daughter of Hon. G. W. Logan, February 20th, 1866. Has six children. His wife is a graduate of Salem Female College. Mr. E. is a nephew of Hon. John Baxter, of Knoxville, Tennessee, who is now a Judge of the United States Circuit Court; and is a nephew of ex-Gov. Elisha Baxter, of Arkansas. To show that the Rutherford-tonians have their faith closely pinned to him they returned him to the Senate for the session of 1881, and again for the present term. He is one of the best and most fair-minded Republicans in the Senate, and has many friends.

Fortieth District.

ISAAC NEWTON EBBS,

LYNCH, MADISON COUNTY, N. C.

Born September 16th, 1850, in the county of Cocke, Tennessee. Son of Francis Marion Ebbs. His education was

limited to that average usually obtained in the common schools of this State. Married December 28th, 1879, the daughter of Adolphus Balding, and he is the father of two children. He has held the office of county commissioner of Madison and with that exception held no other until his election to the Senate. He is on the following committees, viz: Internal Improvements, Claims, and in several instances has served on various joint committees of conference. He is a Democrat of the old school.

Forty-First District.

W. W. JONES,

HENDERSONVILLE, HENDERSON COUNTY, N. C.

Senator Jones is brother to Col. Armstead Jones, a lawyer of prominence in Raleigh, and at one time practiced law here with his brother, the firm being Jones & Jones. He left Raleigh several years ago in search of a more healthful climate, and like many other eastern people, acted sensible in going to Western Carolina instead of some Western State. Finding that in the transmontane country he could make a congenial home, enjoy good health and a lucrative practice as a lawyer, he at once located in Hendersonville, where the fresh and invigorating breezes come rushing down from the undulating slopes of hundreds of hillsides, purified from the spray and mist of the many playful brooks and dancing rills that skip and bounce over the rough and rugged rocks that fill the gentle ravines of those majestic mountains.

While living in Raleigh, his ability and his fealty to party and principles caused him to be chosen as the Chairman of the Democratic Executive Committee of Wake county; and the people of his adopted home, soon recognizing the same commendable qualities, honored him by sending him as their representative in the State Senate.

Forty-Second District.

M. C. KING,

MURPHY, CHEROKEE COUNTY, N. C.,

Was born Feb. 5th, 1844, in the county of Cherokee. His father was Johnson W. King. Educated at Murphy.

Married Miss Mary C. Baker, daughter of Jacob Baker, in 1868. He is the father of six children. He represented his county in the House of Representatives during the sessions of 1874-'75. Politically, he is a Democrat, and was elected by about nine hundred majority. He also has a war record. Entered the service at the age of 17, and served during the war as a member of Company A., 2nd Regiment N. C. Cavalry. He is a member of the Committee on Education and Internal Improvements, and is Chairman of the Committee on Engrossed Bills. He has not made many speeches this session, but considers questions thoroughly, and always knows how to vote.

House of Representatives.

Alamance County.

THOMAS M. HOLT,

HAW RIVER, N. C.

Col. Thomas M. Holt is a gentleman of State reputation, and one who everybody knows to be earnestly and zealously devoted to every measure which would tend to the good of the old North State, and has labored unceasingly this entire session as well as many other sessions in the same capacity for the good of his constituents, and for every section of this commonwealth. His labors have always been for the best interests of North Carolina, and the citizens of the State should always feel proud of him as one of her most ardent supporters of all measures tending to the development of our resources.

Alexander County.

ROBERT P. MATHESON,

TAYLORSVILLE, N. C.

Born September 25th, 1832, in Iredell county, N. C., son of William Matheson; educated in the common schools of his county; was clerk of the County Court from 1860 to 1868, and was a member of the General Assembly during the session of 1868-'69. Married Miss M. C. C. Carson, daughter of Rev. Alfred Carson, in September, 1859; father of seven children; was a Whig before the war and a Democrat ever since; he was elected by a majority of 115 votes. Serves on the following committees: Propositions and Grievances, Counties, Cities, Towns, &c., and on the committee of Emigration. Mr. M. is a worthy gentleman and represents his district in a worthy manner.

Alleghany County.

Elder ISAAC W. LANDRETH,

ELK CREEK, N. C.

Elder Isaac W. Landreth, son of Dr. Stephen Landreth, was born on Elk Creek, in Alleghany county, on the 6th

day of February, 1838, and received his education at the common country school. Held the offices of Captain of Piney Creek Company, Major of the 96th Regiment of Militia, and as a justice of the peace; served in the war four years, was captured at Gettysburg, Penn, July 3rd, 1863; was a private in company A, 26th regiment, N. C. Volunteers, commanded by Zebulon B. Vance until he was elected Governor of North Carolina. After the close of the war, on the 16th day of November, 1865, he was united in marriage to Miss Bettie M. Long, daughter of Emanuel Long, of Independence, Va. Eight children, five girls and three boys were born to them, all of whom, except one, a boy, are now living. Liberal Republican in politics, and was elected to the Legislature in 1882, by a majority of 94 votes, and as a member served on committees: Railroads, Post Roads, and Turnpikes. Professed religion August 27th, 1866, and joined the Baptist church at Mount Carmel; was licensed to preach April, 1869, and ordained July 17th, 1870. Has been Clerk of the Mountain Union Association for ten years. Lives by farming; claims to be tied to no political party, but votes and advocates the liberties and rights of the laboring class, throwing party spirit aside and seeking to build up the good old North State, "the land of my nativity—God bless her."

Anson County.

W. A. LILES,

WADESBORO, ANSON COUNTY, N. C.

Born in 1833, in Anson county. Educated at Gould's Fork Academy, in Anson county. Married twice; father of five children, a boy by his first wife and three boys and one girl by his second wife. During the war enlisted in 1861 in Company C, Anson Guards, Fourteenth N. C. Regiment, as Lieutenant; was promoted to a captaincy. Served throughout the war and was wounded several times.

Ashe County.

Dr. J. O. WILCOX,

STAGG'S CREEK, N. C.

Dr. Wilcox has had right much experience in legislative bodies, and having learned the routine of all kinds of legislative work, knows how to present measures in the most fa-

avorable light. He is one of the leading and most prominent Republicans in the House, and looks well after the interest of his party. He is a practicing physician by profession, and is a very popular gentleman in his section of the State.

Bertie County.

T. R. SPELLER,

WINDSOR, N. C.

Born April 17th, 1853, in Bertie county. Went to school at St. Augustine Normal School, at Raleigh, four years. Been teaching school eight years. Single man. Republican in politics, and elected by 1000 majority. Serves on Committee on Corporations.

Brunswick County.

WILLIAM GRISSETT,

WALDEN, N. C.

Born in Brunswick county Oct. 29th, 1829. Has no collegiate education—only in common schools of the county. Married Miss Mary Hickman. Has seven children living. During the war he held the office of First Lieutenant in militia. Republican in politics, and elected by 80 majority. Committees, Agriculture and Mining, and Claims. He is a farmer by occupation. Was County Commissioner for two years.

Bladen County.

JOHN NEWELL,

CLARKESTON, N. C.

Born in Wayne county in 1839, was elected to the House of Representatives in 1879, and again in 1881. Is a Republican, and is serving on the Committee on Emigration. Never went to school a day in his life. What education he has attained was by applying himself during the spare moments from his work. Was bound out when only seven months old. He has been County Commissioner four years and School Commissioner six years. This is his second term to the House of Representatives. Married Mary Mariah Pittman, February 16th, 1868, and has seven children—only three living.

Beaufort County.

E. S. SIMMONS,

WASHINGTON, N. C.

Young Simmons moved to Washington, N. C., in August, 1878. He soon won the confidence and esteem of all. He has always been a hard worker for the Democratic party in every campaign since he has been in Beaufort county.

He was nominated for the Legislature at a time when it was thought almost impossible to carry the county for the Democratic party. It was said by his friends that he was leading a *forlorn hope*. He made a change in his county of 500 votes, for Beaufort county had not been Democratic for years. It is true she has had sometimes a Democrat in the Legislature of late years, but it must be remembered that he was secured by the vote of Pamlico county; whereas, this year Pamlico voted independent of Beaufort, and young Simmons got 221 majority in Beaufort proper, which heretofore has given a large Republican vote.

He had for his opponent Jno. B. Respass, a man of fine gifts as a speaker, and who is sometimes called the Vance of the Republican party, and it was admitted by Respass' friends that young Simmons was the only man with whom Respass ever canvassed who could handle him.

Young Simmons is modest in his manners, never shoves himself in the way. True as *steel* to his *friends*. A natural orator, though an unpretentious one, for he is never known in any body or assembly to have anything to say unless it is necessary. For his age, which is 27, there is no man in the State of North Carolina his superior as a speaker, debater, or a jury advocate.

Buncombe County.

CALVIN M. McLOUD,

ASHEVILLE, N. C.

Born in Franklin, Macon county, February 9th, 1840. Learned the tanner's trade when quite young, and continued to work at this business until he was twenty-one years old, and then enlisted in the Confederate army, Company H, 16th North Carolina Regiment, as a private. Became Captain in said company in 1863, and was in command of the Regiment for six months as Captain. Twice wounded, and at one time was left for dead on the field of

battle at Mechanicsville, June 20th, 1862. Located in Asheville in September, 1865, and studied law under the Hon. J. L. Bailey, and received license in June, 1867. Formed a partnership with the late Hon. N. W. Woodfin in February, 1869, and continued as his partner until his death, in May, 1875. Was never in politics, but a born Democrat, and was nominated for the office he now holds by the people of his county during his absence on a Northern tour with his family, in September, 1882, and he received the unanimous support of the Democrats of the county. Serves on committees: The Code, Judiciary, Public Printing, and chairman of committee on Privileges and Elections.

Mr. McLoud is one of the leading members of the House; has taken an active part in every measure brought up, and has rendered invaluable service as a member.

B. G. GUDGER,

LEICESTER, N. C.

Born March 18th, 1847, in Buncombe county. Has a common school education. Married Miss Bessie Chandler, of Bell Creek, Minnesota; one child. In the war about one year, in Co. C, 29th Regiment North Carolina State Troops. Was a prisoner in Camp Douglas, Chicago. Served on the following committees: Engrossed Bills, Penal Institutions, and Railroads, Post Roads, &c. Is a Democrat, and was elected over Natt. Atkinson by 405 majority.

Burke County.

SAMUEL McDOWELL TATE,

MORGANTON, N. C.

Born in Morganton, N. C., September 6th, 1830. Educated at private schools in North Carolina and Pennsylvania. Appointed Captain of Company D, 6th Regiment, Regular Troops, May 20th, 1861. Promoted Major at "Seven Pines," May, 1862. Promoted Lieutenant-Colonel at Gettysburg July 2d, 1863; commanded 6th Regiment to the close of the war. Wounded at Sharpsburg September, 1862, at Rappahamock Bridge November, 1863, at "Cedar Creek" October, 1864, and at Petersburg March 25th, 1865.

Elected President of the Western North Carolina Railroad June, 1865, and remained a director of the road for

private stockholders till its sale. Was removed from its Presidency by Provisional Governor Holden in August, 1865. Again elected President by Worth Board in August, 1866, and again removed by Holden's "Reconstruction" Board in 1868. After sale of road in 1875, was elected private stockholders' commissioner to organize the system and work the convict force on the road, as authorized by act of March, 1875, of which, as a member of that Legislature, he was the author. Was a member of the House from Burke two terms previous to the present, and chairman of committee on Finance each term. After becoming member of the Legislature, resigned all connection with railroads, and sold his stock. Was a Justice of the Peace for twenty-five years. Delegate to every Democratic National Convention from 1860 to this time, save and except the "Greely" Convention. Serves on committees: Internal Improvements, Railroad Commission, Rules, and is chairman of committee on Finance.

Col. Tate is an old fashioned Jeffersonian Democrat, and a truer son to the Old North State never entered the State Capitol. He is a very quiet man, and very seldom joins in the many discussions that arise, but when he does speak, he receives the attention of his fellow members, for all regard his opinions on any subject as being sound, logical, practical and worthy to be carefully considered. He is a very close and earnest worker, and his services on committees and elsewhere are fully appreciated by all who know him.

Cabarrus County.

HARVEY C. McALLISTER,

MOUNT PLEASANT, N. C.

Born September 8th, 1835, in the county of Gaston, N. C. Son of George W. McAllister. Educated in the county at large by *observation* and *experience*. Held the office of County Commissioner and Justice of the Peace. Married in June, 1862, Miss Fannie Cook, daughter of Matthew Cook, and is the father of eight children. Served in late war four years, Co. N, 8th N. C. Regiment, Clingman's Brigade, Hoke's Division, and was wounded at battle on Weldon railroad, near Petersburg, Va. Was 1st Lieutenant. A Democrat, elected by 554 majority. On committees: Propositions and Grievances, Banks and Currency, Deaf, Dumb and Blind Asylums, Agriculture, Mechanics and Mining, and Privileges and Elections. Occupation at home, mechanic and farmer.

Caldwell County.

WILLIAM HORTON BOWER,

LENOIR, N. C.

Born June 6th, 1850, in Wilkes county, son of David E. Bower. Educated at Finley High School, Lenoir, Caldwell county, N. C. A Democrat and elected by 670 majority, and is serving on the following committees, viz: Judiciary, Internal Improvements, Privileges and Elections, and is chairman of committee on Public Library. Studied law in the office of Col. G. N. Folk, of Lenoir, and obtained a license to practice. Went to California in 1876, returned in the summer of 1880. He is six feet high, weighing 230 pounds, and has had enough of politics, according to his own declaration, to do him the balance of his life. He makes a good member, and looks well into every measure that comes before the House.

Camden County.

JOHN K. ABBOTT,

SOUTH MILLS, N. C.

Born January 3rd, 1831, in Camden county, N. C. Son of Joseph Abbott. Educated at Randolph Macon College, Virginia. Was a Justice of the Peace under the Canby Government and a Representative in the Lower House of the Legislature in 1876-'77. Married December 20th, 1865, Miss E. Spence, daughter of Edward Spence. Father of six children, three boys and three girls. Served in the late war four years; belonged to Company A, Eighth Regiment N. C. Troops, attached to Clingman's Brigade, Hoke's Division. Is serving on the following committees: Chairman House branch of committee on Joint Rules, Engrossed Bills and Penal Institutions. He is an earnest worker and a faithful representative.

Carteret County.

LEMUEL H. HARDY,

NEWPORT, N. C.

Born March 17th, 1853, in the county of Greene, North Carolina. Son of L. M. Hardy. Has a common school education. Was a member of the school committee of his county. Married January 29th, 1873, Miss Bettie J. Harts-

field, daughter of P. T. Hartsfield. Is a Democrat and was elected by 77 majority. He is a vigilant and true Representative. Is on the committee on Corporations, Deaf and Dumb and the Blind Asylum, State Debt, and on Fish and Fishing Interests. He is a successful farmer and a minister of the Primitive Baptist denomination.

Caswell County.

JAMES W. POE,

ASHLAND, N. C.

Born in 1854. Educated at Jefferson Academy and at the High School at Statesville. Married Miss Emma Brown November 18th, 1880. He is a Republican, and was a delegate to the Republican State Convention, which was held in Raleigh, June 14th, 1882. In 1881 was master of ceremonies of the third annual exposition of the Industrial Association, held at Raleigh, and in 1882 was a marshal at the fourth annual exposition of the same Association, and is a teacher by occupation; has been employed as a teacher in public schools.

Catawba County.

MILES O. SHERRILL,

NEWTON, N. C.

Born July 26th, 1844, near Sherrill's Ford, in Catawba county, and is son of Hiram Sherrill.

He was educated at Catawba High School, was married May 1st, 1867, to Miss Sallie R. Bost, daughter of Captain J. M. Bost, who was killed at Petersburg, Va., and has six children.

Mr. Sherrill was a valiant member of company A, 12th Regiment N. C. State Troops in the late war; was wounded at the battle of Spottsylvania Court House, Va., in May, 1864, which necessitated the amputation of his right leg six inches above the knee.

A Lieutenancy was tendered him in Captain Ray's company of Rangers, in 1861, but he refused to leave his old company, of which he was Orderly Sergeant.

Mr. Sherrill is a Democrat; has filled the office of Superior Court Clerk 14 years since the war, and was elected to his present seat in the House of Representatives by a majority vote of 990. He has rendered efficient service on the

Finance, Educational and joint committee to Re-district the State, and as Chairman of Committee of Salaries and Fees. Mr. Sherrill has proven himself a good representative from a good county.

Chatham County.

D. H. MARSH,

GULF, N. C.

Born February 15th, 1844, in Chatham county, N. C., near Chapel Hill. Left school in 1861 to go to the war; joined company D, 3d Regiment N. C. Cavalry, and served nearly four years.

Married Miss Fannie E. Muse, daughter of H. L. Muse; blessed with two children. A merchant. Democrat in politics and elected by four hundred majority, and one hundred more than any other candidate. On committees of Internal Improvements, Finance, Immigration, and Public Printing.

W. A. LAWRENCE,

GOFF, N. C.

Born July 6th, 1839, in Chatham county. Educated at the private and public schools of his county. Married Miss E. F. Mims, of Chatham county, July 6th, 1868. Has five children. Held the office of Lieutenant during the war. In politics a Democrat, and was elected by 267 majority. Served on committees of Corporations, Banks and Currency and Deaf, Dumb and Blind Asylum.

Cherokee County.

ROBERT BRUCE,

NOTLA, N. C.

Born in Habbersham county, Georgia, September 15th, 1826. Married Miss Catharine Cearley, of Wilkes county, N. C., by whom he has had nine children—five girls and four boys. Occupation, a farmer. Moved to North Carolina in 1872. Was elected to the House of Representatives in 1879 by 40 majority. Elected to present seat by 99 majority. On Agriculture, and Salaries and Fees.

Chowan County.

E. H. SUTTON,

EDENTON, N. C.

Born December 2d, 1849, in Perquimans county, N. C. Son of Willis Sutton, and educated at Charlotte and Edenton. Worked in the Government Printing Office at Washington, D. C., at one time. Is married and has one child. Republican; was elected by twenty-five majority, and is now serving on committee on Corporations.

Clay County.

JAMES S. ANDERSON,

HAYESVILLE, N. C.

Was born Jan'y 6th, 1835. Was Captain Company A, 29th Regiment N. C. Troops, during the war. Was a member of the House in 1870-'71, 1872-'73-'74, also 1879-'80. He married Miss J. S. Ketron, June 6th, 1866. He serves on committees: Railroads, Propositions and Grievances, and Public Buildings.

Cleveland County.

LEWIS EDWARD POWERS,

SHELBY, N. C.

Born March 24th, 1841, near Norfolk, Va. Son of Lewis Austin Powers. Educated at Yadkin College. Married Sarah Mary Ellitt, daughter of Rev. E. D. Elliott, October 23d, 1862. Father of six children, five living. Served in the late war four years, belonging to Company A, Twenty-first Regiment, N. C. Troops, attached to Jackson's command; was a Lieutenant for three years, and was wounded at Sharpsburg and at Liberty. Is a Democrat and was elected by 47 majority. Is on the committee on Insane Asylums, Engrossed Bills and Public Printing.

Mr. Powers is a man of strong mind, a fluent speaker, and has done much for his party in Cleveland county.

Columbus County.

H. D. WILLIAMSON,

CERRO GORDO, N. C.

Born August 1st, 1842, in Columbus county. Educated at Warsaw. Married Miss Sarah E., daughter of William

Davis, of Smithville, N. C., by Rev. Arthur McKimmon, and has two children. In the war four years, in Company C., North Carolina Regulars, twelve months, then joined Company E, 36th Regiment, North Carolina Artillery, commanded by Col. Wm. Lamb, of Norfolk, Virginia. Wounded at Fort Fisher. He enlisted as private and came out as First Lieutenant. A magistrate six years. Town commissioner, merchant, and dealer in naval stores. Farmer by occupation. Serves on committees: Internal Improvement, Justices of the Peace, Counties, Towns, &c., Salaries and Fees, and Redistricting the State.

Craven County.

W. H. JOHNSON,

NEWBERN, N. C.

Born September 17th, 1831, at Newbern, N. C. Educated in common schools of the county. Married Sarah Ann Dare in 1882. No children. Has been a Deputy Sheriff for ten years. Is a Republican, and was elected by eight hundred votes. Is on the committee of Deaf, Dumb and Blind Asylum.

Cumberland County.

ED. P. POWERS,

FAYETTEVILLE, N. C.

Born in Fayetteville September 4th, 1843. Educated at Donaldson Academy, Fayetteville, N. C. Married Miss Mary A. Brown January 7th, 1864, and has two children. In politics a Liberal Republican since 1881. Was elected to the House by 101 majority. On the following committees, viz: Insane Asylum, Fish Interest, Military Affairs, and Cities, Towns and Townships. He is a butcher, and has held the following offices: City Marshal, School Committeeman, and Justice of the Peace, and served during the war in the First Regiment, North Carolina Volunteers.

Currituck County.

W. H. COWELL,

SHAWS, N. C.

Born December 5th, 1832, in Currituck county, son of J. T. Cowell. Attended common schools of community and

went one session to Wake Forest. Been married twice, first time to Miss Elizabeth Morgan and second to Miss Mattie DeFord. Has three children. Is a physician by profession and graduated at the University of Pennsylvania. Was in the Legislature during the session of 1881, and returned to the present session. Serves on committees on Insane Asylum, Engrossed Bills, Re-districting the State, and as chairman of committee on State Debt.

Dare County.

EPHRAIM H. RIGGS,

BUXTON, N. C.

Born January 9th, 1853, at Vandemere, Pamlico county, N. C., son of John R. Riggs. Educated at Beach Grove and Newport. Has held the office of Justice of the Peace, County Commissioner, Wreck Commissioner, and County Superintendent of Dare. Married July 4th, 1878, Miss Terah L. Jennett, daughter of Wallace R. Jennett, and has two children. He is a Democrat, an active member, and has devoted special attention to the fishing interests and to pilots. On committee of Education, Propositions and Grievances, Immigration, Public Library, Enrolled Bills, and is chairman of committee on Fish Interests.

Davidson County.

JAMES F. BEALL,

LINWOOD, N. C.

Born September 1st, 1837, at Belmont, Davidson county, N. C. Son of Dr. B. L. Beall. Educated at Bingham and Wilson schools and at the University of Virginia. Married Miss C. M. Harper, of Lenoir, Caldwell county, N. C., daughter of James Harper, Esq., January 29th, 1869, and they have two children. He served in the late war four years, enlisted as a private in Co. A, 21st Regiment N. C. Troops, was promoted to the rank of Major and was in command of the Regiment at the close of the war. Was wounded at Winchester in the second battle of Manassas, and at Fredericksburg. He is a Democrat and is serving on the following committees: Propositions and Grievances, Engrossed Bills, Enrolled Bills and Insane Asylums. Major Beall read medicine under his brother Dr. R. L. Beall of Lenoir,

and completed his course at the Medical College of New York and has since engaged in the practice of his profession, and in connection with that is a farmer. This is his first legislative experience.

H. J. HARRIS,

THOMASVILLE, N. C.

Born March 8th, 1826, at Healing Springs, Davidson county, N. C., son of William H. Harris. Educated at Trinity College; was Justice of the Peace, Alderman and Treasurer of the town of Thomasville. Married December 25th, 1848, a daughter of C. M. Lines, of New Haven, Conn. Father of seven children, five living. In politics was a Whig prior to the war, and is now a conservative Democrat; was elected to the House by two hundred and sixty-two majority. On the committees of Finance, Penal Institutions, Deaf, Dumb and Blind Institution, Railroad Commission and Insurance. Served during the late war as Captain of company A, 10th Battalion, Heavy Artillery, in Maj. W. L. Young's command, under General Whiting, at Wilmington, N. C.

Davie County.

PATRICK HENRY CAIN,

SETTLE, IREDELL CO., N. C.

Born August 28th, 1814, in Rowan county, son of Daniel Cain. Educated in common school by Peter S. Ney; married a daughter of Tenison Cheshire of Davie county, Jan. 5th, 1842. Mr. Cain is now a widower and has seven children living, five sons and two daughters. He was Justice of the Peace, a member of the Special Court, a County Commissioner eight years and Chairman of the Board for six. He was elected to the House of Representatives as an independent Democrat over the regular Democratic nominee by 286 majority. He serves on the committee on Insane Asylum and Counties, Cities, Towns, &c. He is a farmer and during the war served in the Home Guard for a while.

Duplin County.

J. D. STANFORD,

KENANSVILLE, N. C.

Born in 1833, at Kenansville, N. C., son of A. T. Stanford. Educated at Columbia College, Washington, D. C.

Has been a member of the General Assembly in one or the other branch since 1858, and has filled the office of Solicitor of his county. He married in 1859 Miss Alice A. Spicer, daughter of John F. Spicer. He also served as Supervisor of Census for the 3d North Carolina District. Mr. Stanford is a gentleman of fine ability and of most excellent judgment, a true and zealous Democrat, always at his post, an untiring and faithful representative.

Durham County.

R. C. STRUDWICK,

DURHAM, N. C.

Mr. Strudwick, the Representative from Durham county, is a fine looking young man, a Democrat and works well for a new member in legislative harness.

Edgecombe County.

A. R. BRIDGERS,

TARBORO, N. C.

Born October 1st, 1854, in Edgecombe county. Educated at St. Augustine Normal School. Occupation, school teacher. Filled the office of Magistrate; was a delegate to the Republican State Convention in 1882. Is a Republican and was elected by 1,287 majority; is serving on the committee on Internal Improvements. He is reading law under Fred. Nash, Esq., and proposes to adopt that profession.

WILLIAM BELCHER,

TARBORO, N. C.

Born July 31st, 1854, in Edgecombe county. Educated in the free schools in the county. Married Tempy Telfair, January 3d, 1879, has one child. His occupation is farming; in politics, Republican, and was elected by 761 majority; is on the committee on Cities, Towns, Townships, &c.

Forsyth County.

GEO. W. WILSON,

KERNERSVILLE, N. C.

Born Jan. 10th, 1810, in Stokes county. Married Miss Julia Hastings, of Forsyth county. Has nine children.

Been Magistrate 35 years. Lived in Henry county, Va., ten years, at which time he was captain of a militia regiment. He is a Democrat, and has never been anything else. Serves on committees, Agriculture, Corporations and Deaf, Dumb and Blind. Occupation, a farmer.

Mr. Wilson is one of the fathers in the General Assembly, being the oldest man in the body.

Franklin County.

B. F. BULLOCK, Jr.,

FRANKLINTON, N. C.

Born Oct. 8th, 1841, in Granville county. Attended school at the academies in Granville. Married Miss Henrietta E. Flemming, May 10th, 1864. Has three children. Been Commissioner and Mayor of Franklinton, and for five years was U. S. Commissioner. Studied law under the late Judge Battle at the University, and got license to practice in January, 1869. Republican in politics. Serves on Judiciary, Insane Asylum, Enrolled Bills, and Education.

WILLIAM FARNIFOLD GREEN,

FRANKLINTON, N. C.

Born September 23, 1828, in Franklin county. Son of Wm. O. Green. Attended school at Wake Forest College in 1847 and 1848, from here he went to Jefferson College, Canonsburg, Pa., where he graduated in June, 1850. Read law under Judges Nash and Bailey at Hillsboro and received county court license at the fall term of Supreme Court, and one year later received license to practice in Superior Courts of the State. Located in Louisburg and continued the practice of his profession until hostilities broke out between the States. He organized the Franklin Rifles and was elected captain of the company. Soon after going into service, he was promoted to Major in the 5th Regiment of North Carolina Troops, which Regiment became the 15th, after the reorganization of the State Troops, and he continued to serve in that capacity during the term for which the Regiment volunteered. Was afterwards Colonel of the State troops until close of the war. He was a member of the House of Representatives from 1856 to 1862. Was Solicitor for Franklin county for four years. Married Miss Lou. F.,

daughter of Col. David Williams, of Edgecombe county, June 25th, 1867. Has one child—a daughter. Was elected a member of the Constitutional Convention of 1875. Was elector on the Presidential ticket for Metropolitan Congressional District 1880. Serves on committees, viz.: Judiciary, the Code, and chairman of committee on Education. Since the war he has resided on his farm four miles from Franklinton and devoted the most of his time to agricultural pursuits. He is a firm and zealous member.

Gaston County.

JAMES W. REID,

LOWELL, N. C.

Born June 25th, 1816, at Lincoln, (now Gaston county). The son of William Reid, and educated at the common schools, and Hunter's Academy, and has been County Commissioner.

Was married to Miss Mary D. Ratchford, daughter of John and Isabella Ratchford, January 12th, 1847. Nine children have blessed this union, but only four are remaining to cheer their declining years. He served in the late war eight months, in Company H., 4th Regiment Senior Reserves, under Col. John F. Hoke. Was 1st Lieutenant and Captain. A Democrat in politics, and elected by 170 majority. Committeeman on Deaf, Dumb and Blind, and Cities, Towns and Townships. Occupation, farmer and mechanic.

Gates County.

JOHN JACOB GATLING,

GATLINGTON, N. C.

Was born near Reynoldson, Gates county, N. C., January 18th, 1843, and is 40 years of age. He was educated at Reynoldson Academy, then known as Chowan College; studied no profession. Is a farmer by occupation. Left school at the age of eighteen years, and enlisted in the "State Guards," the first military company raised in the county, and among the first raised in the State. This company was assigned to Company "B," to the 5th Regiment, North Carolina State Troops, which enlisted, from the outset, for the war, and was at first commanded by Col. D. K. McRae. On the 12th of May, 1862, he was promoted to the

position of Regimental Sergeant Major, by order of Col. McRay, and remained at the Colonel's headquarters, acting as secretary for him. In the early part of 1863 was promoted to be Second Lieutenant of Company G, of the 5th Regiment, and as such commanded his company through some of the hottest battles of the war—the Captain, J. M. Taylor, being absent, wounded, and First Lieutenant a prisoner of war. In 1864 was made Acting Adjutant of the regiment, and in this capacity served until the 19th day of September, 1864, when in the desperate and disastrous battle fought between General Jubal Early's army and that of General Phil. Sheridan, upon the bloody heights of Winchester, Va., he was taken prisoner of war in company with some six hundred others. After his capture was taken to the Fort Delaware Military prison, and there kept nine months, until after the war. He was engaged in all the great battles of the late war, in which his regiment took part, up to the date of his capture, except those of Cold Harbor and Mechanicsville. Since the war he has held a good many important public positions. Was township clerk until 1875, when he resigned to accept the nomination to the House of Representatives, made vacant by the death of the Hon. R. H. Ballard, to which position he was elected without opposition. He was for some time one of the county examiners for teachers, has been Public Administrator for Gates county ever since that has been an office, and is now a Justice of the Peace. In 1876 he was nominated by the Democratic Convention for the House of Representatives, but declined. In 1878 was again nominated for the same position, accepted, and was elected over his Republican opponent by about 282 majority. Mr. Gatling was married to Miss Emily G. Willey, daughter of John Willey, Esq., deceased, on the 20th of November, 1870, and has now living four children, three boys and one girl. He was returned to the House in 1881, and again this session. He serves on several committees, and is a good member.

Graham County.

GEORGE B. WALKER,

ROBBINSVILLE, N. C.

Born April 2nd, 1855, in Cherokee county, N. C. Educated in the common schools of the county. Elected to the Legislature by 75 votes; is serving on committees: Com-

merce, Education, Agriculture, Congressional Districts, Counties, Cities and Towns, Fish Interest, &c. Has never married.

Granville County.

ELIAS J. JENKINS,

FRANKLINTON, FRANKLIN COUNTY, N. C.

Born February 23d, 1843, in the county of Granville, son of Jonathan Jenkins, has a common school education, married Miss Elizabeth A. Strother, daughter of J. L. Strother, in 1875, father of three children, was in the late war about two years in Company A, 33d Regiment, North Carolina troops, was in the engagement at the Wilderness, Spottsylvania Court House, and various other engagements in the vicinity of Petersburg, Va. Politically speaking he has always been a Democrat until the last election when he was elected as the Liberal candidate. Serves on committee on Railroads, Post Roads and Turnpikes, and Towns, Cities, &c. Is engaged in farming and in manufacturing tobacco.

A. H. A. WILLIAMS,

OXFORD, N. C.

Archibald H. A. Williams was born in Franklin county October 22d, 1842. He is a son of the late Henry G. Williams, who was at one time Sheriff and also member of the Legislature from that county. He was raised by his uncle, the late Hon. A. H. Arrington of Nash, after whom he is named. Mr. Williams was fitted for college at the Horner School of Oxford, and entered Emory and Henry College, Va., in 1860, but when the tocsin of war was sounded he enlisted in the 2d North Carolina volunteers as a private soldier, but was afterwards promoted to a lieutenancy and then to a captaincy in the 55th North Carolina regiment. He served with this regiment during the war and surrendered at Greensboro in 1865. Captain Williams lost three brothers during the war—Sol., who was Colonel of the 2d regiment, William T., Lieutenant-Colonel of the 32d regiment, and Thomas M., a private in the 32d regiment. He is also brother to Hon. H. G. Williams of Wilson, Captain John A. Williams of Oxford and the late Samuel T. Williams, who founded the *Daily News* of Raleigh. Captain Williams is the only man in North Carolina who owns a

railroad. The people of Granville were anxious to have a railroad to connect them with the outside world. He took charge of that enterprise when there was little hope of his making it a success, but by indomitable energy and a wonderful financial ability, he brought order out of chaos and to-day the Oxford and Henderson railroad is in successful operation—a standing monument to his intelligence, ability and energy. He is also president of the Oxford and Henderson Telegraph Company, a corporation that paid its stockholders last year a 32 per cent. dividend. Capt. Williams' seat in the present Legislature was contested, but the House of Representatives decided in his favor. He is a politician of no mean pretensions. His friends urged his name in the last congressional convention of his district, but after his nomination he arose in the convention and declined the use of his name in opposition to his friend General Cox. Captain Williams is a valuable member.

Greene County.

M. T. DIXON,

HOOKERTON, N. C.

Born in 1828, in Greene county, N. C.; son of Washington Dixon. Educated in common schools of his native county. Was a Magistrate twenty-six years, and common school committeeman four years. Was married on the 4th day of May, 1854, to Miss Mary Harper, daughter of James Harper, of Greene county, N. C., and has four children. A Republican in politics. Is now serving on committees: Agriculture, and Banks and Currency. By profession a farmer.

Guilford County.

JAMES W. FORBIS,

GREENSBORO, N. C.

Was born in Guilford county, eight miles east of Greensboro, the 29th of July, 1852. He is the son of John and Delanah Forbis, and great grandson of Col. Arthur Forbis, who was killed at Guilford Court House during the Revolutionary war, March the 15th, 1781. He was raised a farmer boy until he was twenty-one years old. He is the youngest of six children, three brothers and two sisters. Owing to his

father's death when he was only eighteen months old and the devastation and ruin caused by the war between the States, he was compelled to commence the great journey of life with a very limited education and a more limited purse. By hard work and economy, he accumulated a few hundred dollars, and with this, he and his brother, W. R. Forbis, whose estate was also limited, established in 1875 the first furniture store ever opened in Greensboro. By industry and economy they achieved success in their new enterprise, and soon found their hundreds increased to thousands. James, having had from early boyhood a burning desire to be an orator, in the fall of 1877, sold his interest in the furniture establishment to his brother William, and entered Chapel Hill, where he remained for two years—graduating in the school of Philosophy in June, 1879. He was a member of the "Di" Society, and was elected by his fellow members to represent that Society at the Commencement of 1879. He then returned to Greensboro and commenced the study of law under Judges Dick and Dillard, and was licensed by the Supreme Court of North Carolina to practice law at the June term of 1880. He then went into the law office of Col. J. T. Morehead and practiced with him until January, 1882, when he opened an office and entered the practice alone in the city of Greensboro. He did some good work in the Hancock campaign of 1880, and made considerable reputation as an orator and debator. He continued to practice law, with marked success, until November the 7th, 1882, when, after a hot canvass, being opposed by a regular Liberal nominee, and an Independent Republican, and an Independent Democrat, he was elected to a seat in the lower house of the General Assembly, as a "died in the wool" Democrat, by a majority of 214. He made a bold fight during the canvass and was dubbed by the Greensboro *Patriot* and complimented by his friends as the "game cock of the campaign." He was married to Miss Sallie J. Rees, of Greensboro, on the first day of January, 1883. He took his seat in the House of Representatives on the third day of January, 1883. He made a faithful and efficient representative, and was recognized as one of the leaders of the House among the young men.

JOHN L. KING.

GREENSBORO, N. C.

Born Nov. 4th, 1847, at Oak Ridge, Guilford county.

Son of John King. Educated at New Garden, Yadkin county. Was married to Miss R. A. Benbow, the daughter of Jesse Benbow, in 1876. Was elected to the present Legislature by 361 votes majority on the Democratic ticket. On committees, Internal Improvements, Insane Asylum, Deaf, Dumb and Blind Institution, and chairman of committee on Banks and Currency. His occupation is that of manufacturer of plug tobacco.

Halifax County.

H. J. HEWLIN,

BRINKLEYVILLE, N. C.

Born November 25th, 1841, at Enfield, N. C., son of Hiliard Hewlin, educated in Halifax county, was Justice of the Peace four years, Constable six years, School Committeeman two years, and Deputy Sheriff prior to his election to the House of Representatives. Married June 20th, 1876, a daughter of O. P. Thrower, and is the father of two children. During the late war he served in the 12th regiment, North Carolina troops, six months. In politics a Republican, was elected by about 3,000 votes. He is on the committee on Insurance.

JAMES M. PITTMAN,

HALIFAX, N. C.

Born October 2d, 1852. Educated at Shaw University, Raleigh, N. C. Occupation, teaching. Is a Republican, and is serving on the Committee on Engrossed Bills.

Harnett County.

DANIEL STEWART,

TROYVILLE, N. C.

Born February 13th, 1826, in the county of Cumberland, N. C. Son of Charles Stewart. Educated at Pleasant Hill, Johnston county, N. C. Has been a member of the school committee of his county, and married Miss Nancy Dixon, daughter of Patrick Dixon, April 18th, 1850. Father of nine children—only five living. A Democrat; elected by 168 majority. Is serving on the committees of Agriculture, Mechanics and Mining, Finance, and of Salaries and Fees.

Mr. Stewart is one of the best farmers and finest cotton growers in Eastern Carolina, and it is said that it was a boll of cotton from his farm that took the premium at the Vienna Fair. He is also a very popular man in his section.

Haywood County.

WILLIAM WILLIAMS STRINGFIELD,

WAYNESVILLE, N. C.

Born May 7th, 1837, in Nashville, Tenn. Educated at Strawberry Plains, Tennessee. Son of Rev. Thomas Stringfield. Is now serving his first term in the Legislature. Has been U. S. Commissioner three years. Is a Democrat in politics, and never voted any other ticket. Has often been elected a lay delegate to the Annual, and twice to the General Conference M. E. Church South, 1874 and 1882. Was married January 2d, 1871, to Miss Maria M. Love, daughter of James R. Love, deceased, of Haywood county, N. C., by whom he has three boys and three girls. Served as private in 1st Tennessee Cavalry, as Captain in 31st Tennessee Infantry, and afterwards as Major and Lieut. Colonel of the "fighting end" of Thomas's N. C. "Legion and Highlanders." Was in thirty-seven battles in Kentucky, Tennessee, Virginia and Maryland, but never wounded. Captured under last flag of truce at Knoxville, Tenn., on May 1st, 1865, and surrendered sword on the same street and within forty feet where he drew arms in 1861. He is one of those who always acts on his own judgment and when he makes up his mind to do a thing, he goes forward and does it, and when he advances he knows no retreat, but burns the bridge behind him. Is a valuable member of society and a useful man in the General Assembly.

Henderson County.

B. F. POSEY,

HENDERSONVILLE, N. C.

Born in Buncombe Oct. 23rd, 1820. Educated principally at old field schools. Married Miss Julia F. Davis, of Henderson county, July 1st, 1852. Two children living and two dead. Merchant at Hendersonville. Was with the reserve corps on the coast of South Carolina during the war. He lived about twenty years in South Carolina. Democrat. Committees: Finance, Insurance, and Propositions and Grievances.

Hertford County.**GEO. H. MITCHELL,**

WINTON, N. C.

Mr. Mitchell is a Republican and is a very popular man in his section—even with many Democrats, for he is now Mayor of his town where there are no other white Republicans. He is a man of considerable business interest and is now conducting two farms in Hertford county and two in Bertie county.

Hyde County.**J. B. BAUM,**

FAIRFIELD, N. C.

Born May 30th, 1842, in Hyde county. Educated at common schools of Hyde county. Was a member of the Sixty-sixth Regiment of North Carolina Rangers during the war. Democrat, and never voted any other ticket, and was elected by a majority of 101 votes. Always refused offices, but was forced by his friends to come to the House, and thinks he is now sufficiently amused in public life. Serves on Propositions and Grievances, Internal Improvements, Post Roads and Turnpikes.

Iredell County.**AUGUSTUS C. TOMLIN,**

OLIN, N. C.

Was born March 29, 1832, in Iredell county, and is now living on the old homestead of his father, the late Notley D. Tomlin. Was educated at the schools of the community. Married Miss Margaret A. Alexander, daughter of Mr. J. F. Alexander, of Statesville. Has two children. Has been County Commissioner four years. Serves on committee of Internal Improvements, and several others. He is a steady, quiet and useful member.

A. LEAZAR,

MOORESVILLE, N. C.

Born March 27th, 1843, in the county of Rowan, son of John Leazar, educated at Davidson College and graduated with first honors at the age of 17 in 1860. He is a true Democrat, and was elected to the House by 423 majority over the Republican candidate, Judge D. M. Furches. Is serving on the committees of Finance, Education, Insane

Asylums, Deaf, Dumb and Blind Asylum, and on the committee to Redistrict the State. He served four years during the late war in Co. G, 42d North Carolina Regiment. He is a gentleman of fine education, and makes a good member.

Jackson County.

J. M. CANDLER,

WEBSTER, N. C.

Born August 31st, 1846, in Buncombe county. Son of G. W. Candler. Educated at Sand Hill Academy; read medicine under Dr. D. M. Gudger, and attended lectures at the Philadelphia Medical University, and began to practice medicine in 1868. Is a Republican, and was elected by a majority of 207 votes. Serves on two committees, Insane Asylums, and Counties, Towns and Cities. Married Miss Mary E. Mahoney June 23d, 1868. She is a daughter of Rev. James Mahoney, and they have four children.

Johnston County.

H. M. JOHNSON,

ROME, N. C.

Born January 28th, 1837, in the county of Johnston, N. C. Son of Allen Johnson. Common school education, and by the light of his own *pine torch*. Married three times. First to Miss Nancy Ann Beasley; second, Miss Charlotte Ann Peacock, and third, Miss Edith Ann Allen; is the father of ten children. Served a portion of the time during the war as Second Lieutenant in the militia. Is a Democrat; was elected by 144 majority. A good farmer, and an active, working member on the following committees: Penal Institutions, Deaf, Dumb and Blind, Agricultural and Mechanics and Mining.

JESSE BROWN,

SELMA, N. C.

Born January 18th, 1825. Son of Thomas Brown. Married a daughter of Jesse Sterling March 16th, 1848, and was married a second time to a daughter of M. Penney March 13th, 1872. Has five sons and seven daughters. On committees on Corporations and Propositions and Grievances.

Jones County.

EDWIN RANDOLPH PAGE,

TRENTON, N. C.

Born September 19th, 1846, at West Point, Va. Son of Dr. R. F. Page. Educated at Hillsboro Military Institute and at Annapolis Naval School. Went to sea and visited all the principal ports of Europe. Held the following offices: Postmaster at Kinston, N. C., conductor on Atlantic & N. C. Railroad, and Deputy Collector at Large in Second District North Carolina. Married November 8th, 1871, Miss O. E. McDaniel, only daughter of Nathan McDaniel. During the war he ran away from Hillsboro School and joined Company K, Ninth Regiment Virginia Cavalry; was wounded in the vicinity of Sharpsburg, Md. Surrendered at Greensboro, N. C., with one dollar and thirteen cents in his pocket, which was tied up in horse hair taken from the tail of a horse that was killed under him at Bentonsville, Johnston county, N. C. At one time during the war he acted as courier to General Wade Hampton. He is a Republican and was elected by 664 majority. Serves on Finance Committee, Military Affairs, Rules, Railroad Commission, Internal Improvements, Agriculture and Insane Asylum. He is a jovial, whole-souled and good fellow, and one everybody likes.

Lenoir County.

DEMPSEY WOOD,

LA GRANGE, N. C.

Born in 1848, in Lenoir county. Son of James Wood. Educated at Greensboro, N. C. Married Miss Elmira Wood, daughter of Jesse Wood, May 11th, 1876, and is the father of three children. A Democrat, elected by 140 majority, and is serving on the following committees: Agriculture, Mechanics and Mining, Education, Internal Improvements, and on Congressional Districts.

Lincoln County.

W. L. CROUSE,

CROUSE, N. C.

Was born July 29th, 1849, at his present home; the son of David Crouse, and was educated at Catawba High School, and was married to Miss Stowe, daughter of S. D. Stowe, of

York county, S. C., on June 10th, 1871; three children have blessed their union. Was elected to the present Legislature on the Democratic ticket by one hundred and eighty-one majority. Is now serving on the following committees, viz: Militia, Penal Institutions, Internal Improvements, and joint Railroad Commission.

Studied medicine under Dr. U. L. Brown, of Lincolnton; afterwards attended and graduated in Medicine at the Washington University of Maryland, (1870-'71-'72-'73,) and since then has been continuously in practice of his profession and farming.

McDowell County.

J. C. McCURRY,

MARION, N. C.

Born September 15th, 1837, in Burke county, N. C. Educated at Marion and county schools. Was married to Miss Maggie McInturff, of Tennessee, in October, 1867, and has two children. Is a Democrat. Was two years the County Treasurer. Was Magistrate during the war. Was elected to the present Legislature by one hundred and five majority. Is now serving on the following committees, viz: Corporations, Redistricting the State, Cities and Towns, &c. Was raised a farmer, but is now a successful merchant. Look well after the interest of those who sent him here.

Macon County.

J. F. RAY,

FRANKLIN, N. C.

Born in 1855 in the county of Macon, N. C. Son of John Ray. Educated at Franklin, and was elected to the House of Representatives in 1881. Is on the following committees, viz: Corporations, chairman of committee on Military Affairs, and chairman of committee on Railroads, Post Roads and Turnpikes. Mr. Ray is a young man and is very ambitious to make his mark in life.

Madison County.

DAVID STRALEY BALL,

STOCK, N. C.

Born on Jack's Creek, in Yancey county, N. C., August 31st, 1843, son of Melmoth Ball, educated at Mars Hill Col-

lege, in Madison county, a member of the board of County Commissioners of Madison county for the years 1879-'80. Married a daughter of E. B. Holcombe August 25th, 1866. Has no children. Served in the war of the Confederate States for four years and one month in Lee's command, Company B, 16th North Carolina, and held the office of Second Lieutenant. Republican in politics and elected to the Legislature in 1882 by a majority of 164 votes, and at this session served on committees: Salaries and Fees, and Propositions and Grievances. Occupation, a farmer.

Martin County.

DENNISON WORTHINGTON,

WILLIAMSTON, N. C.

Born October 6th, 1843, in Murfreesboro, Hertford county. Educated in North Carolina and Maryland. Went into the war at first in 8th Regiment N. C. Troops, and afterwards assigned to the charge of signal and mounted scouts on the peninsula below Richmond. Was wounded there and captured May 6th, 1864, and held as hostage until March, 1865, and surrendered at Warrenton, N. C., after the fall of Appomattox. Read law under Hon. J. J. Yates, and Martin, Baker and Hinton of Norfolk, Va., and received license to practice in the courts of Virginia in 1869. Now located at Williamston and practicing his profession under the law firm of Moore and Worthington. Married Miss Julia, daughter of Col. S. J. Wheeler, of Bertie county, November 17th, 1871. Been Solicitor and Judge of the Inferior Court, was member of the Legislature of 1881, at which session he was chairman of committee on the Appointment of Justices of the Peace. He serves on committees: Judiciary, Fish Interests, and Enrolled Bills. He is Speaker *pro tem.* of the House of Representatives, chairman of the joint committee to Redistrict the State, chairman of committee on Rules, chairman of committee on Military Affairs, and member of the Code committee. Mr. Worthington has taken a very prominent stand in this General Assembly, and is a leading and influential member.

Mecklenburg County.

T. T. SANDIFER,

PAW CREEK, N. C.

Born October 20th, 1818, in Chester county, South Carolina, son of Philip Sandifer, educated at Ebenezer Academy, at Mount Pleasant, S. C., and at Yorkville Academy, was for four years a member of the board of County Commissioners of Mecklenburg, married twice, first to Miss Ann M. Wilson in 1840, and to Miss Lizzie Graham in 1866. He is the father of three children by his first wife and eight by the second wife. He is a Democrat and was elected by over 400 majority, by profession is a physician, commenced practicing medicine in 1838 and continued to do so until 1868, and since that time has devoted his attention to farming. Is on the committees on Insane Asylum and Agriculture.

J. S. MYERS,

CHARLOTTE, N. C.

Born November 1st, 1847, in Mecklenburg county, N. C. He is son of W. R. and S. C. Myers and is a self-made man, possessed of an active and strong mind and educated himself by close application to study with but little assistance from teachers. Married Miss Mary M. Rawlinson of Rock Hill, S. C., December 22d, 1870, and has four living children—two sons and two daughters. Is serving on the committees of Agriculture, Immigration, and Penal Institutions. He is a true Democrat and a vigilant representative and by occupation a farmer.

WILLIAM H. BAILEY,

CHARLOTTE, N. C.

Mr. Bailey has taken much interest in matters of legislation and has let nothing escape his notice. He is a man of fine education and legal attainments and well posted in parliamentary usages. He is a fluent and ready speaker, and has let but few questions pass without expressing his views upon them. He serves on several leading committees and is an active worker.

Mitchell County.

H. LINEBACK,

LINEBACK, N. C.

Born in 1849, in the county of Ashe, N. C., has a limited education acquired by personal application, not having any school advantages, is a Republican, was connected with the Federal army during two years of the war, belonged to Company C, 13th Regiment, Tennessee cavalry, is a married man, has five children, was a member of the board of County Commissioners for two years, serves on the committee on Corporations in the House.

Montgomery County.

A. L. HENDERSON,

ELDORADO, N. C.

Born April 28th, 1830, in Montgomery county. Educated in the common schools of the county. Married in 1850 Miss Piety Harris. Father of nine children, eight of them living. Was County Treasurer two years. In politics a Republican, and was elected by 75 majority. Occupation a blacksmith, serves on the Committees of Deaf and Dumb and the Blind, and Railroads, Post Roads, Turnpikes, &c.

Moore County.

HECTOR TURNER,

CAMERON, N. C.

Dr. Turner is a good physician and farmer at home, and performs his duties here faithfully. He is about sixty years old and a man of family. He is a strong Democrat and looks well to the interest of his party. He served in the House two years ago.

Nash County.

B. H. BUNN,

ROCKY MOUNT, N. C.

Mr. Bunn is a practicing attorney by profession, and in point of ability stands well up towards the head of the class. His labors in the present session of the House have been very valuable. He is on several of the leading committees

and always takes a prominent part in committee work and is ever ready when questions of any kind come before the House. He is a thorough and practical reasoner, a good debater, and in every way has rendered himself very efficient. He is a gentleman of very fine personal appearance, affable manners, and has many friends.

New Hanover County.

WILLIAM HENRY WADDELL,

WILMINGTON, N. C.

Born May 14th, 1847. Never went to school, but has received a very fair family education. Not married. Been Janitor, with rank of Captain, at City Hall in Wilmington, for two terms. Been Superintendent of City Improvement for one year. His first term in the Legislature was in 1879. Was here again in 1881 and returned to this session by a large vote, about 1,100. He has been member of School Committees for some time, and Chairman of the Board. He now serves on committee on Insane Asylum.

EUSTACE E. GREEN,

WILMINGTON, N. C.

Born February 3d, 1845, at Wilmington, N. C. Was educated at Lincoln University, Pennsylvania, and held the following offices: Clerk of Court, County Examiner of Public Schools and Principal of a Graded School. Married Georgie Cherry, daughter of Henry Cherry, July 2d, 1879. Father of one child. A Republican. On following committees, viz: Propositions and Grievances, Penal Institutions and Education.

Northampton County.

WILEY BAKER,

DOGWOOD, N. C.

Born February 14th, 1850, in Halifax county. Educated in the common schools of the county. In politics a Republican, held the office of Constable, Overseer of Roads and a School committeeman. Serves on the committee on Deaf, Dumb and Blind.

R. B. PEEBLES,

JACKSON, N. C.

Mr. Peebles was born July 21st, 1841, in Northampton county, N. C. Educated at Chapel Hill, N. C. Obtained license to practice law at June term, 1866. Married to Miss Maggie Cameron, daughter of Paul C. Cameron, of Hillsboro, N. C. Served on the following committees: Chairman of Corporations and Judiciary, on Committee on Education, Agriculture and Commerce, Library, Public Buildings, The Code, Rules, &c. Was a member of the Legislature in 1866-'67, and filled with much credit to himself the office of County Attorney, Trustee of the University, commissioner to represent North Carolina at the Yorktown celebration, Lieutenant in Company E, 56th N. C. Regiment, Adjutant 35th N. C. Regiment, Assistant Adjutant General Ramsour's Brigade. Mr. Peebles is one of the best men in his section of the State, and the interest of his people while in his care would never suffer. The members of the House had become very much attached to him, and it was with much reluctance that he was voted out to make a place for his contestant, George H. Parker.

Onslow County.

C. THOMPSON, M. D.

JACKSONVILLE, N. C.

Born February 8th, 1855, at Haw Branch, Onslow county, and is son of Frank Thompson, Sr. He was educated at Randolph Macon College, University of Virginia and University of Louisiana. Was married to Miss Florence G. Kent, daughter of Charles E. Kent, of Amherst C. H., Va., December 5th, 1882. Dr. Thompson is a Democrat and a practicing physician. Was elected to his present seat in the House of Representatives by a majority of 241. He is chairman of House branch on Enrolled Bills and is on the committee on Internal Improvements, Re-districting the State and Insane Asylums. He is a young, vigorous member, and lets nothing concerning the East pass unnoticed.

Orange County.

JAMES A. CHEEK,

HILLSBORO, N. C.

Born July 21st, 1842, in Orange county, is the son of James Cheek, was educated in Orange county and married

Miss Rosa F., daughter of Mr. John Cheek, has three children. He served in the Confederate army in Company D, 1st Regiment North Carolina State troops, held the office of "low private in the rear rank," and was discharged from service on account of bad health. In politics he is an Independent Democrat, and in voting on measures casts his votes according to his convictions of right and wrong. Was elected by seven majority—overruling a regular Democratic majority of 800 votes. The main issues he advocated in the campaign were his opposition to the present system of county government and opposition to all stock laws without first submitting the question to the qualified voters of the territory asking the law, and opposition to prohibition. By occupation he is a liquor dealer.

Pamlico County.

R. D. McCotter,

PAMLICO, N. C.

Born May 1st, 1836, near Pamlico, Pamlico co.; his father's name is Richard McCotter. He was educated partly at the University of North Carolina, but graduated at Trinity College. Served in the late war in the capacity of Lieutenant in company F, 46th Regiment, under Col. W. L. Saunders and was with General Lee at the surrender.

Mr. McCotter has served his people as County Commissioner, County Examiner, and County Superintendent of Public Instruction, and was elected to his present seat in the House of Representatives by a majority of 187. He is a Democrat and popular with his people. He has served on the committees on Propositions and Grievances, on Banking, and on Education, and has made a good representative.

Pasquotank County.

NOAH R. NEWBY,

NIXONTON, N. C.

Born June 15th, 1857, in Perquimans county, N. C. Educated at Hampton College, Va.; closed his college course in 1879, and since that time has been teaching. In politics a Republican and was elected to the House by 217 majority; is serving on the committees on Education and Fish Interests.

Pender County.**R. B. FRAYSER,**

POINT CASWELL, N. C.

Mr. Frayser is a lawyer by profession, and is an old gentleman of active mind and clear judgment and firm convictions. He is a Republican in politics but voted for Hon. M. W. Ransom for United States Senator.

Perquimans County.**FRANCIS NIXON, Jr.,**

WINDFALL, N. C.

Born December 3d, 1852, in the county of Perquimans, N. C. Educated at a neighborhood academy. Held the office of Magistrate for two years. A Republican in politics and a farmer. Is serving on the committee on Propositions and Grievances. He now lives with his grandfather, Francis Nixon, Sr., who is a very large land owner in that county.

Person County.**W. F. READE,**

MOUNT TIRZAH, N. C.

Mr. Reade is quite an old man but has an active mind and makes a good member. He is a brother of Judge E. G. Reade. He is Republican in politics but votes according to his convictions regardless of politics.

Pitt County.**CALVIN STOKES,**

JOHNSON'S MILLS, N. C.

Born March 18th, 1839, in Pitt county, N. C. Son of Thomas Stokes. Educated at the public schools. Has been Justice of the Peace. Was married August 15th, 1860, to Margaret A. Witherington, daughter of Reuben Witherington, by whom he had two children. Served in the late war six months as a member of the Bridge Guards, commanded by G. W. Cox. Was Sergeant in same and acted his part well. Was elected to the present Legislature by a majority of 204 votes on the Greenback ticket. By occupation a farmer. He is now serving on the following committees: Engrossed Bills and Immigration.

L. J. BARRETT,

FARMVILLE, N. C.

Born June 13th, 1839, in the county of Pitt. Son of Josiah Barrett. Educated at Horner's school at Oxford, N. C. Was a member of the House of Representatives during the sessions of 1874-'75. Married November 25th, 1868, to Miss Julia M. Bynum, daughter of Allen Bynum. Served four years in the late war, was Lieutenant of Co. E, 27th Reg't. N. C. Troops, and was Captain of Co. H, 7th Reg't. C. S. Cavalry, Hampton's Division, was engaged at Plymouth, Newbern and in various engagements in the vicinity of Petersburg, Va. A Democrat, elected by 300 majority, and is on the committees of Finance, Agriculture, Mechanics and Mining, and Salaries and Fees.

 Polk County.
T. C. BRADLEY,

MILL SPRINGS, N. C.

Born in Rutherford county, December 17th, 1838. Attended school at Gold Hill Academy, in Rutherford county, Married Miss Jennie Hampton, of Polk county, in 1865. He has six children; served in the first company that left Rutherford county during the war—company G, 16th Regiment. Been Deputy Sheriff for two years, and Deputy Marshal in the Revenue service. Republican in politics. On committees on Penal Institutions, and Banks and Currency.

 Randolph County.
BURWELL STEED,

HILL'S STORE, N. C.

Born in 1836, in Randolph county. Married Miss Elmira Hopkins in October, 1876. Occupation is that of a farmer. Been Justice of the Peace and County Commissioner. Democrat in politics. Serves on committees of Corporation, Agriculture, and Salaries and Fees.

MARMADUKE SWAIN ROBINS,

ASHEBORO, N. C.

Born August 31st, 1827, in Randolph county, N. C. Son of John Robbins. Educated at Chapel Hill. Married Miss

Annie E. Moring, daughter of W. H. Moring, July 24th, 1878. One or two children living. A Democrat in politics, and elected to the Legislature by three hundred and fifty-seven majority, and now serving as committeeman on Judiciary, the Code, Redistricting the State, &c. An attorney by profession, having obtained license in 1856.

Richmond County.

H. H. COVINGTON,

ROCKINGHAM, N. C.

Born October 27th, 1842, in the county of Richmond, N. C. Educated in the common schools of the county. Married Miss Teresa Hawkins, of Richmond county, and has five children. Held the office of overseer of road. A Republican in politics and elected by 389 votes. Serving on the committee of Internal Improvements and of Claims. A farmer by occupation.

Robeson County.

O. S. HAYES,

PATES, N. C.

Farmer, merchant and turpentine operator. Born Jan. 26th, 1843, in Loudonville, Ashland county, Ohio. son of H. I. Hayes, and educated at Toledo, Ohio. Member of the Convention of 1868. Also Senator in 1868-'69. Member of Company E, 100th Ohio Regiment, 23rd Corps, Schofield's Command. Adjutant and Captain in the 128th Ohio Regiment. Was elected to the present Legislature by over one hundred majority, and is now serving on committees, Agriculture, Convict Labor, Finance, Insane Asylum, Internal Improvements, &c. Not married.

EDWARD K. PROCTOR,

LUMBERTON, N. C.

Born in New Kent county, Va., Jan. 8th, 1825. Educated at Roslyn, Staten Island, N. Y. Married first to Miss Annie Reid, of Boston; the second time, to Miss Annie E. Sumter, of Robeson county. Has two children. Came to North Carolina in 1859, and, after living one year in Wilmington, located in Lumberton. He is son of William and

Mary Proctor, who came from England. He was member of the House in 1868-'69. He serves on committees of Corporations, and Propositions and Grievances.

Rockingham County.

PRYOR REYNOLDS,

LEAKSVILLE, N. C.

Born February 17th, 1824, in Franklin county, Alabama. Son of Pryor Reynolds. Educated at private schools, and was Private Secretary to Governor Morehead in 1841-'44, County Commissioner, &c.

Was married to Miss E. C. Jones, daughter of Col. Man-son Jones, August 12th, 1850; has five children living out of the seven born to them. He served in the Army of Northern Virginia from March, 1863, to April 9th, 1865, in the 45th North Carolina Regiment, Daniel's Brigade, Rhodes' Division, as Quartermaster. Was elected without a canvass to the Legislature by 41 majority on the Democratic ticket. Lived in New York in the capacity of salesman in 1847. Engaged extensively prior and since the war in mercantile pursuits, chiefly in the tobacco trade, as manufacturer and raiser. Also engaged largely in steam saw mills, of the well known firm of Reynolds, Haughton & Millner.

JAMES D. GLENN,

LEAKSVILLE, N. C.

Was born at the residence of his grandfather, Col. J. R. Dodge, in Yadkin county, N. C., on the 20th of October, 1852. His father, Captain Chalmers Glenn, having been killed in the battle of Boonsboro, Maryland, he was adopted and raised by his uncle, Dr. E. T. Broadnax, of Rockingham county. He entered the Virginia Military Institute in 1867, and graduated at that institution in July, 1871.

Although educated as a civil engineer, he preferred farming to any other occupation, and has followed that since 1871. He was married in June, 1877, to Miss Mary W. Broadnax, youngest daughter of Dr. John G. Broadnax, of Rockingham county. They have had two children, but both died. He was nominated by the Democratic Convention of his county, and elected to the House of Representatives in 1880, and again renominated and elected in 1882.

He is chairman of the committee on Internal Improvements of the present House, and upon the committees of Finance, Military Affairs, Agriculture, Convict Labor, and of Library.

Mr. Glenn was elected Captain of Co. H, 3d Regiment, North Carolina State Guard, in August, 1881, and Lieutenant-Colonel of the 3d Regiment in December, 1882.

Mr. Glenn is a man of fine personal appearance, pleasing manners, sound judgment, and while he is bold and fearless in the discharge of his duties, he never overleaps the bounds of strict propriety on any question. He is very popular, and deservedly so, for he is a worthy gentleman.

Rowan County.

LEE S. OVERMAN,

SALISBURY, N. C.

Was born in Salisbury on the 3d day of January, 1854; was graduated from Trinity College in 1874, receiving the degree of A. B., and three years later the degree of A. M. was conferred upon him by his Alma Mater. In June, 1876, he commenced the study of law under Col. J. M. McCorkle, of Salisbury, and in the campaign of 1876, took a very active part. On the 31st of January, 1877, he was appointed by Governor Vance his confidential clerk, and on the 1st of January, 1879, he received the appointment of Private Secretary. While in Raleigh he pursued the study of his profession under Richard H. Battle, Jr., Esq., and at the January term, 1878, of the Supreme Court, received license and was admitted to the bar. Resigned office of Private Secretary January 1st, 1881, and returned to Salisbury to practice his profession. Was elected to his present seat in the House over G. A. Bingham, a Liberal candidate. He serves on various committees, and is a hardworking and good member, and his good qualities and manly deportment are only equaled by his gentlemanly bearing and good looks. He serves on Judiciary and The Code committees, and is chairman of committee on Deaf, Dumb and Blind Asylum.

Rutherford County.

G. B. PRUITT,

WEBB FORD, N. C.

Born in the county of Cleveland, son of John Pruitt. Educated in the common schools of his county; was Rail-

road agent at Rutherfordton ; married Miss Margaret Spurlin, daughter of I. J. Spurlin, in June, 1870, and is the father of five children. Was elected as a Liberal Democrat by a majority of 154, and is on the committee of Propositions and Grievances.

Sampson County.

WILLIAM S. MATHEWS.

SIX RUNS, N. C.

Born May 14th, 1823, in Sampson county. Married Miss S. C. James Nov. 22nd, 1854, and has seven children, four dead. Served only in militia during the war. Was Magistrate for eleven years, and County Commissioner for two years.

Mr. Mathews is a farmer by occupation, and asked me not to say that he was the most successful one in the State: and also said ~~we must not tell the public that there were only 14 sensible men in the House the night of the Peebles-Parker contest, and to not let it be known, but always keep it a secret, that this Legislature is the biggest set of fools ever assembled in Raleigh.~~

C. H. WILLIAMS,

HUNTLEY, N. C.

Born Nov. 28th, 1850, in Sampson county, N. C., the son of John C. Williams. He was educated in Sampson county, N. C. Married Miss Flora A. McDonald, daughter of Z. W. McDonald, Nov. 24th, 1870, and is blessed with two children. A Democrat in politics, and a member of committees on Finance, Propositions and Grievances, Immigration, and chairman of Insurance. A Justice of the Peace, and elected by five hundred and ninety-eight majority to the House.

Stanly County.

D. N. BENNETT,

NORWOOD, N. C.

Born August 20th, 1843, in Chesterfield county, S. C. Educated principally at the Wadesboro Institution. Married Miss A. C. Dunlap, daughter of B. J. Dunlap, of N. C., and has five children—three sons and two daughters. Politi-

cally a Democrat of the *first water*, in other words a *true blue* of the Old Hickory persuasion, and was elected by 210 majority. Serves on the committees of Finance, Insane Asylums, Education, and Appointment of Justices of the Peace. As an evidence of Mr. Bennett's faithful discharge of duty, we can say that during the session, he has not missed a solitary vote. This can be said of but a few members.

Stokes County.

JOHN Z. PHILLIPS,

DALTON, N. C.

Born May 19th, 1846, in Yadkin county. Son of Matthew Phillips. Educated at Wake Forest College and graduated there in 1875. Attended Pearson's Law School, and obtained his license in 1877, and has continued the practice of law since that time in the courts adjacent to his county. He held at one time the office of Superintendent of Public Schools of the county of Stokes. In politics is a Democrat. Is on the following committees: Judiciary, Education, Penal Institutions, and Propositions and Grievances. During the war about one year he served with the Junior Reserves, Co. C, 3d Regiment N. C. State Troops attached to Hardie's Corps.

Surry County.

WINSTON FULTON,

MOUNT AIRY, N. C.

Born in Stokes county April 4th, 1821. Moved into Surry county in 1845, and married March 4th, 1847; lost his wife on June 11th, 1875. He is the father of nine children, all living. In politics a Whig before the war and a Democrat since. Is a farmer by occupation and is also engaged in the manufacture of tobacco, cotton yarn and sheeting. Mr. Fulton, like all other successful farmers and business men, makes a worthy member, for when a man knows how and can manage his own affairs to advantage, he has the right kind of education to manage the affairs of others.

Swain County.

A. H. HAYES,

CHARLESTON, N. C.

Born January 22d, 1848, in Murphy, Cherokee county, where his father, G. W. Hayes, resided and where he was educated. He was married to Miss M. E. Leatherwood of Cherokee county, November 4th, 1869, and has five children. Mr. Hayes is a Democrat and a farmer, and was elected by a majority of 101 to fill the seat he now occupies in the House of Representatives. He has served on several important committees and is faithful to his people.

Transylvania County.

ROBERT HAMILTON,

BREVARD, N. C.

Born May 16th, 1817, in Buncombe county. Received a limited education from the country schools. Was married to Miss R. A. Neill, daughter of Geo. C. Neill, July 2d, 1840, and has nine children living.

Mr. Hamilton was elected Sheriff by the Justices of the Peace at the organization of Transylvania county 20th May, 1861, was re-elected in 1862, and has since served his county in the capacity of Justice of the Peace and Chairman of County Court. He is a Republican, was a Union man during the late war, and did not serve in the army. Was elected to his present seat in the House of Representatives by a majority of 57, and has served on Finance, Salaries and Fees, and Agricultural Committees.

Tyrrell County.

FREDERICK C. PATRICK,

LEONA, N. C.

Born September 19th, 1849, in Tyrrell county, N. C., son of F. F. Patrick. Educated at the primary schools of the county; held the offices of County Commissioner and Justice of the Peace; married Martha L. Liverman, daughter of Hardy H. Liverman, March 20th, 1873; father of six children, only three living. Is a Democrat—was elected by 137 majority. Is serving on the committees on Claims, Counties, Cities, Towns, &c., and Penal Institutions.

Union County.

JAMES HOUSTON,

STOUT, N. C.

Born November 28th, 1817, in Mecklenburg county, now Union; married Miss Martha E. Walkup, of Union county; has six children living; was in the Senior Reserves six months during the war, and was Captain. Democrat in politics, and serves on committees of Penal Institutions, Banks and Currency, State Debt, and Salaries and Fees.

Vance County.

H. B. EATON,

WILLIAMSBORO, N. C.

Born in 1847, in Granville county, N. C.; no educational advantages; held the office of school committeeman, married in 1867, and has six children. A Republican; occupation, farming. Serves on the committee on Propositions and Grievances.

Wake County.

E. M. BLEDSOE,

RALEIGH, N. C.

Born in Raleigh August 3d, 1850, educated at schools conducted by Mrs. C. P. Spencer, at Chapel Hill, and at the University of the State, married Miss Annie, daughter of Laurence Hinton, September 3d, 1873, and has four children. Was a magistrate for three years, is a Republican and was elected by a large majority, is serving on committees on Proposition and Grievances, Penal Institutions, and Claims. He is engaged in farming.

J. O. HARRISON,

NEW LIGHT, N. C.

Mr. Harrison is a Republican in politics and by occupation is a farmer. This is the first term he has ever served in the General Assembly.

J. A. TEMPLE,

RALEIGH, N. C.

Mr. Temple is a farmer by occupation and has been in public life but little more than serving as Magistrate. This is the first time he has been in the General Assembly. In politics he is a Republican.

JAMES H. HARRIS,

RALEIGH, N. C.

Born in Granville county about 1830, self-educated, married Isabella Hinton, no children. Member of the Constitutional Convention in 1868, in the House in 1869, in the Senate in 1872, and again in the House the present session, has been a member of the Board of Aldermen several years, was director for the Institution for the Deaf and Dumb and the Blind for four years, was United States Deputy Collector in 1872. On committee on Internal Improvements, Railroads, &c. He is one of the leading members of the Republican party, and for the chances generally afforded colored men, is well posted in political matters and a good speaker.

Warren County.**J. H. MONTGOMERY,**

WARRENTON, N. C.

Born January 15th, 1854, in the county of Warren, N. C. Educated at Tupper's School, Raleigh, N. C. School teacher by profession, and a Republican in politics. Elected to the House by 1,200 votes, and is serving on the committee for Deaf, Dumb and Blind Institution.

Washington County.**ENOCH H. LEARY,**

MACKEY'S FERRY, N. C.

Born January 13th, 1837, at Holy Neck, Washington county, N. C. Son of Harmond Leary. Not educated much. Yet he was a County Commissioner for eight years. Father of five children, four living. Married a daughter of John S. Woodley, December 22nd, 1872. He is a Republican, and was elected to the House by 296 majority. He is on the committee on Claims, and on committee to appoint Justices of the Peace. He served during the late war in the Federal army, and was Third Sergeant in Co. L, and was wounded at Warsaw, N. C.

Watauga County.**WALTER W. LENOIR,**

SHULL'S MILLS, N. C.

Born March 13th, 1823, at Fort Defiance, Caldwell county, N. C. Son of Thomas Lenoir, and educated at Bingham's

School, and at the State University. Was at one time chairman of the Board of Commissioners of Watauga county. Married June 10th, 1856, Miss Cornelia J. Christian; had one child, which lived only six months. Mr. Lenoir is a Democrat, and was elected by 157 majority. He is on the following committees: Claims, Finance, Mechanics and Mining, Select Committee on Internal Revenue and Tariff, and chairman of the committee on Agriculture. During the late war he was Captain of Company A, 37th North Carolina Regiment, and with A. P. Hill's Division. Entered the service in December, 1861, and continued in it until disabled by the loss of a leg at Ox Hill, Virginia, September 1st, 1862. Col. Lenoir is one of the most practical thinkers and ready workers from the West. Watauga did well to send such a valuable man, and his course here has reflected much credit upon himself and constituents.

Wayne County.

JOHN B. PERSON,

FREMONT, N. C.

Born September 9th, 1829, in Greene county, N. C. Son of Thomas Person. Educated in the common schools of the county, and has held the office of Magistrate. Was married to Miss Patience Lancaster, daughter of Bryant Lancaster, in 1870 and blessed with six children. He served four years in the war, Co. D, 2d N. C. Cavalry, held the place of Orderly Sergeant and second Lieutenant. Wounded twice. Elected as Independent Democrat by 174 majority, and is serving on committees on Railroads and Corporations. Was once Colonel of Militia.

JOHN R. SMITH,

GOLDSBORO, N. C.

John R. Smith, son of William Smith, was born in Wayne county, July 7th, 1837. Educated at Goldsboro. Married Miss Amelia A. Hamilton of Wayne county, from which union nine children were born. Four of which are dead. Held the office of County Surveyor of his county for two years, and that of Tax Collector eight years, Justice of the Peace one term; Postmaster at Goldsboro for three years, which position he resigned when elected to the Legislature.

A member of the committee on Finance, State Debt, and Privileges and Elections. Republican in politics. In Mr. Smith is illustrated what a man can, by application, make of himself; for he had no education before he was twenty-one years of age, and could not write at the age of twenty-two, and since then he has obtained a fair education, worked hard and managed well, and is to-day living in easy circumstances.

Wilkes County.

J. Q. A. BRYAN,

TRAP HILL, N. C.,

Was born October 10th, 1833, at Trap Hill, N. C., son of Thomas Bryan, and was educated at Hillsville, Va. Was married to Martha A. Bryan, daughter of John Bryan, on January 12th, 1861; seven children have been born to them, six of whom are living. Served in the war three years in company H, 10th Regiment Tennessee U. S. Volunteers, Army of the Cumberland, and was wounded at Franklin, Tennessee. Was elected to the present Legislature as a Republican by four hundred and eighty-nine majority, and is now serving on committees on Joint Rules, and Propositions and Grievances.

He has held the office of Magistrate, Trustee of Trap Hill Seminary, delegate to all the Constitutional Conventions since the war. A representative in General Assemblys of 1876 to 1883. Was Colonel, Major-General of Militia, and Lieutenant-Colonel of 1st North Carolina Reg't, under Col. W. J. Clark; was Inspector General for North Carolina of the army of the Boys in Blue, and ranked as Colonel. He was also first Lieutenant, company H, 10th Regiment Tennessee U. S. Volunteers, subsequently Captain of the same company; was also appointed Assessor of Internal Revenue for the 6th District; also Division Deputy Collector Internal Revenue 6th District, N. C.

Wilson County.

J. L. BAILEY,

TOISNOT, N. C.

Born June 23d, 1850, in Edgecombe county, N. C. The son of M. Burt Bailey, and educated in the common schools

of the county. Married Miss Emma Braswell, daughter of C. S. Braswell, February 16th, 1881. A merchant and farmer; Mayor of Toisnot for two terms, and is a member of committees on Propositions and Grievances, Railroads and Turnpikes, Insurance, Salaries and Fees, &c. A Democrat, and elected by 498 majority.

Yadkin County.

ALFRED E. HOLTON,

YADKINVILLE, N. C.

Born October 29th, 1852, in Iredell county, N. C., son of Rev. Q. Holton; attended school at Springfield High School, in Guilford county and several schools in the country; he is now serving his second term as a member of the House of Representatives. He obtained license to practice law at June term of Supreme Court in 1874. Republican in politics and is now serving as committeeman on Judiciary, Privileges and Elections, the Code, and Finance. He is an active worker for the good of his party, and though young he deserves credit for the successful manner in which he has worked himself up in life.

Yancey County.

JAMES A. BYRD,

RAMSEYTOWN, N. C.

Born November 18th, 1846, in Yancey county, N. C., son of C. R. Byrd; was educated at Burnsville, Yancey county, N. C.; married Miss Mary V. Parsons, of Yancey county, March 2d, 1871; has three children. Is a Democrat and was elected by a majority of 115 votes, and is now serving on committees of Internal Improvements, State Debt, and Claims. Has been Treasurer of Yancey county four years, and Justice of the Peace eight years.

OFFICERS OF THE GENERAL ASSEMBLY.

SENATE.

JAMES LOWRIE ROBINSON, President,

FRANKLIN, MACON COUNTY, N. C.,

Was born in Franklin, Macon county, September 17th, 1838. His father, James Robinson, came to North Carolina from Tennessee, was a merchant of note and character, and died in the village that was the birth place of his son, June, 1843. His early training was only what the common schools of his county and the village academy afforded, and a year at Emory and Henry College was added to his education by his own hard earned wages and the kind assistance of a friend and relative. When armed men sprang up in every hamlet of North Carolina, at the call of her authorities, he volunteered as a private foot soldier in Company H, 16th North Carolina troops, and became Quartermaster Sergeant in same regiment. At the re-organization he was elected Captain of the company of which he was a soldier and its triumphs became a part of his history. Wounded at the battle of Seven Pines, he led his men over the fields of Manassas when it was baptized with blood a second time. Participating in the engagement at Chantilly farm he was present at the terrible struggle that decided the Maryland campaign at Sharpsburg. When he had laid aside his sword and returned to peaceful vocations, his people recognized in him the deliberate courage and solid qualities of mind that are valuable in civil employments, and chose him to be their commoner in 1868. He was returned without opposition in 1870. No marks of confidence could have bestowed greater honor on him. He had been one of a bold and true minority that had withstood the seductions of a reckless and extravagant administration, and had rendered success for the Democracy possible. When chosen a representative in 1872, he was almost by common consent elevated to the highest honor of the body of which he was a member, and when the Speaker's baton was again tendered him in 1874, it came as a palm of merit that he had no right to put aside. The retribution in the history of North

Carolina came in 1876. The ruins were restored. The counties bearing names conspicuously North Carolinian, and composing his Senatorial District, called him to serve them in the Upper Chamber of the State's councils. He came without opposition, and was chosen President of that distinguished body. Long experience and great familiarity with the duties of a presiding officer over a deliberative body made it eminently fit that he be chosen to fill this high position. His conduct of the business of the Senate from the assembling of the Legislature until the qualification of Lieutenant-Governor Jarvis, added to his growing reputation as a legislator and parliamentarian. No man ever had more loyal constituents, and no people ever had a more faithful servant. His Senatorial services were endorsed by a re-election unsought, and to which no opposition was offered. He was elected President of the Senate February 5th, and served in that capacity with great acceptability to the whole Senate.

He having been elected Lieutenant-Governor by a popular vote of the State in 1880, was by virtue of that election President of the Senate for the session of 1881. His services as presiding officer then, as well as during the present term, were impartial, prompt, and worthy this true son of Carolina. His value to the State is not limited to the proper government of the Senate, but his suggestions and ideas are many times put into bills or adopted by others. We will refer to only one instance of this kind—the plan of eight normal schools for the State originated with him, and was suggested to the Board of Education, and afterwards became a law, and stands to-day a lasting monument to his credit, and the credit of the Legislature which established it.

ROB'T M. FURMAN, Secretary,

ASHEVILLE, N. C.

He is a gentleman of fine personal appearance, affable manners, and possesses qualities of head and heart that win friends wherever he goes. He is a native of Franklin county, but for many years has been conducting the *Citizen* at Asheville. He was elected Secretary of the Senate for the session of 1876-'77, and held that position continuously ever since, and a better officer could not be found in the State.

C. H. ARMFIELD, Engrossing Clerk,

STATESVILLE, N. C.,

Was born February 7th, 1860, and is son of Hon. R. F. Armfield, now member of Congress. He received his education at Trinity College, and graduated in June, 1880. He studied law and obtained license to practice in June, 1881, and practices his profession at Statesville.

W. H. BLEDSOE, Reading Clerk,

RALEIGH, N. C.,

Is a lawyer by profession, and practices at the bar of Raleigh and surrounding counties.

W. V. CLIFTON, Sergeant at Arms,

RALEIGH, N. C.,

Is a native of Franklin county, was born in the year 1840. He served four years in the Confederate service, and was in the prison at Point Lookout. After the war he served two years as Deputy Sheriff of Franklin county, since which time he has been living in Wake and engaged at farming. He was married in 1866, and has two children, one boy and one girl.

D. McK. MATHESON, Assistant Door Keeper,

TAYLORSVILLE, N. C.

Born May 17th, 1842, in Iredell county. Had a common school education obtained principally at Taylorsville Academy and at Elk Shoal Academy; has been a Magistrate since 1869; was County School Examiner in 1874-'75; Tax Collector for Alexander county in 1877; Census Enumerator in 1880; County Superin'dent of Public Schools in 1881-'2; and Assistant Doorkeeper of Senate 1881. Married January 29th, 1874, Miss M. C. Miller, daughter of Thomas Miller. Mrs. Matheson died a few months after her marriage. Volunteered early in 1861, and was enlisted in company G, of the 38th regiment N. C. troops, under Col. Wm. F. Hoke, Pender's brigade, and was wounded at Mechanicsville, Va., June 26th, 1862.

PAGES:

E. G. Clifton, Raleigh, N. C.
 Henry W. Miller, Raleigh, N. C.
 William Rosenthal, Raleigh, N. C.
 Sterling Manly, Raleigh, N. C.
 Marcus Erwin, Asheville, N. C.

House of Representatives.

GEORGE M. ROSE, Speaker,

FAYETTEVILLE, N. C.

Mr. Rose was born in Fayetteville, Cumberland county, in 1846. Entered Davidson College in 1861, and remained there two years, when he entered the Virginia Military Institute. Before he was seventeen years of age, he joined the army, becoming Adjutant of the 66th North Carolina Troops, Col. A. D. Moore, Commanding, forming a part of Kirkland's Brigade in Hoke's Division. Capt. Rose served gallantly with that command until the end of the war. When peace was restored, he applied himself to the completion of his education, which had been interrupted by the call of duty to fight in defense of his country. He entered Chapel Hill in 1865, and graduated in 1867, delivering the salutatory of his class. Having chosen the law as his profession, Mr. Rose obtained his license at January term, 1868, and located at Fayetteville, where he soon laid the foundation of his present lucrative practice. His first public service was in the House of Representatives in 1876-'77, when as a leading member of the Judiciary committee, he gained a reputation for judgment, discrimination and legal attainments. He was again elected to the House in 1880, and enhanced his reputation as a debater and a careful, prudent manager on the Democratic side of the House. He took a prominent part in the proceedings of the session. He was Speaker, *pro tem.*, of the House last session and discharged the duties of the Chair in the absence of Speaker Cook with great acceptability. Mr. Rose has displayed marked executive ability during this session, and this, together with his ripe judgment, comprehensive intellect, natural gifts, universal courtesy, and moderation in his bearing, rendered him eminently fit for the responsible and honored position he filled.

JOHN D. CAMERON, Principal Clerk,

ASHEVILLE, N. C.

He is a native of Cumberland county; was educated at Chapel Hill, graduating in 1841. He lived for a long time in Orange county and conducted the Hillsboro *Recorder*, but is now connected with the Asheville *Citizen*. He has held the office of Principal Clerk of the House for six terms.

W. J. BARRETT, Engrossing Clerk,

KINSTON, N. C.

He was born in Gainsville, Ga. Major Barrett was a brave soldier during the war, and at the second battle of Manassas received a wound which will render him a cripple for life. He is a very positive man and is never afraid to express an opinion, but has many warm and true friends.

JAMES MILTON BROWN, Enrolling Clerk,

TROY, MONTGOMERY COUNTY, N. C.

Born in the county of Randolph. Son of John Randolph Brown. Educated and graduated at Trinity College, class '75, first honors, and at Judge Pearson's Law School, located in the county of Montgomery, in 1878, and began the practice of law. Was elected Mayor of the town of Troy. Was forced to lead a forlorn hope for the sake of Democracy in the 26th Senatorial District; made a change of 350 votes in his own county, Montgomery, but was defeated by the large negro vote given in Richmond county. Has been chairman of the Democratic Executive committee ever since he has resided in the county. Mr. Brown is a young man, unmarried. [Marriageable young ladies will make a note of this.]

WILLIAM GRAY BURKHEAD, Reading Clerk,

NEWTON, N. C.

Born March 6th, 1856, at Chapel Hill, N. C., son of L. S. Burkhead, D. D.; educated at Trinity College, N. C., and graduated June 10th, 1876. Married October 22d, 1879, to Miss Dixie Gayle, of Raleigh, N. C., daughter of Captain J. B. Gayle and is blessed with one child. A Democrat in politics; an excellent officer and gives universal satisfaction as a reader.

D. R. JULIAN, Principal Doorkeeper,

SALISBURY, N. C.

Born June 5th, 1850, in Rowan county, son of William Julian. Educated in his native county; married Miss H. R. E. Culverhouse, daughter of Hugh Culverhouse, on

April 24th, 1872, and is jubilant over four little Julians. Has held the office of City Treasurer of Salisbury and Commissioner.

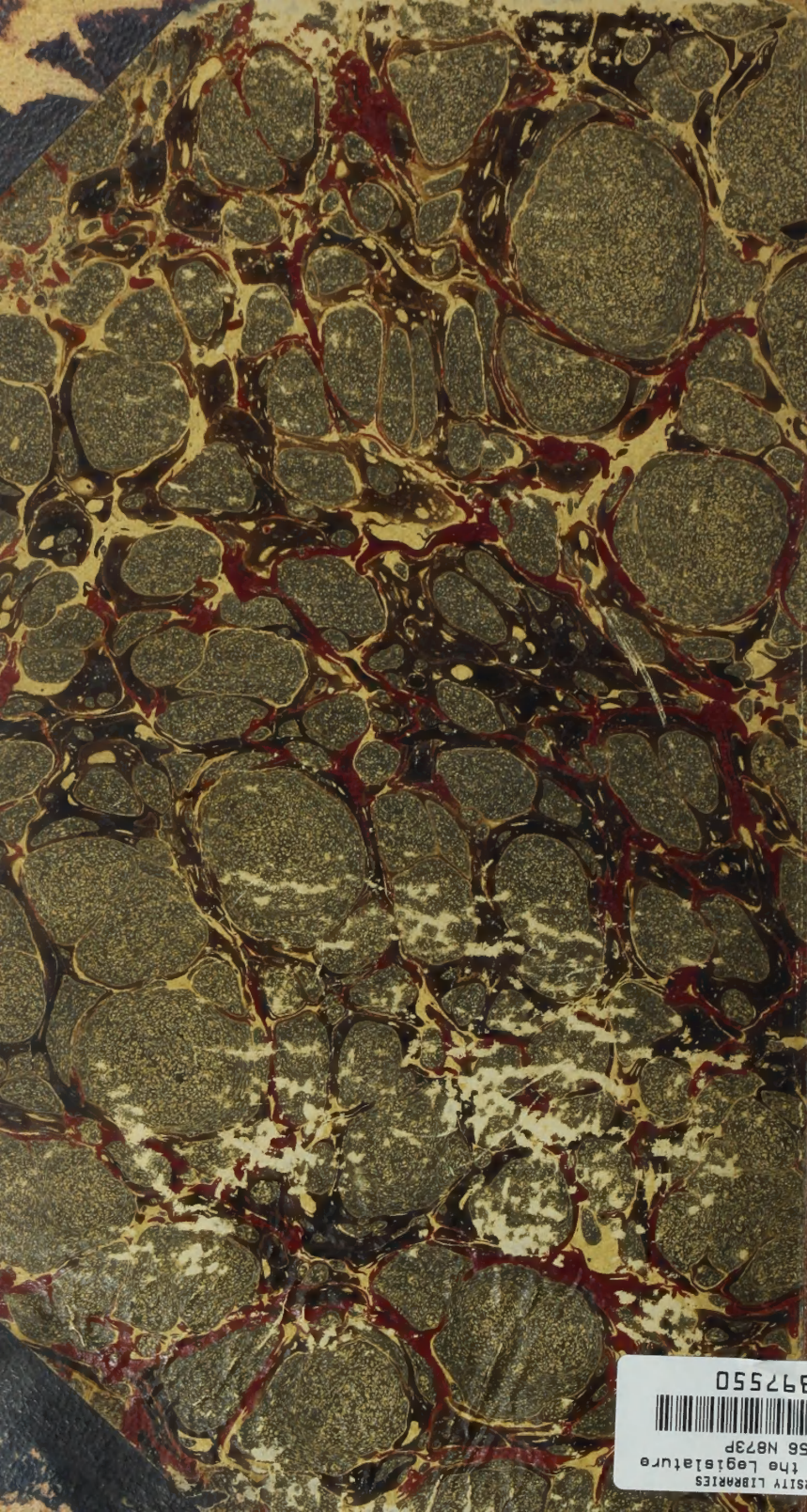
J. P. NORTON, Assistant Doorkeeper,

MARION, N. C.

Mr. Norton was wounded at the battle of Seven Pines at which time he lost one leg. He has held the position he now has continuously since the session of 1874-'75.

PAGES.

R. B. Allison, Statesville, N. C.
 John Julian, Salisbury, N. C.
 J. S. Higgs, Raleigh, N. C.
 C. C. Herby, Raleigh, N. C.
 Alfie H. Marsh, Raleigh, N. C.
 W. J. Newsom, Raleigh, N. C.



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